

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5165

67th Legislature
2021 Regular Session

Passed by the Senate April 24, 2021
Yeas 41 Nays 8

President of the Senate

Passed by the House April 24, 2021
Yeas 90 Nays 6

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5165** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5165

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Senate Transportation (originally sponsored by Senators Hobbs, King, Nobles, Saldaña, and Wilson, C.; by request of Office of Financial Management)

READ FIRST TIME 03/26/21.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 82.21.030, 46.68.060, 47.12.370,
3 46.68.325, 47.56.876, 46.68.370, 46.68.300, 47.60.322, 46.68.290,
4 46.68.063, 47.60.530, 47.60.315, 34.05.350, 46.09.540, and 47.66.120;
5 amending 2019 c 416 ss 101, 106, and 302 (uncodified), and 2020 c 219
6 ss 101, 102, 104, 105, 201, 202, 203, 204, 205, 206, 207, 208, 209,
7 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
8 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405,
9 406, 407, and 408 (uncodified); amending 2019 c 396 ss 2 and 3
10 (uncodified); adding a new section to 2019 c 416 (uncodified);
11 creating new sections; making appropriations and authorizing
12 expenditures for capital improvements; providing expiration dates;
13 and declaring an emergency.

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

15 **2021-2023 FISCAL BIENNIUM**

16 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
17 is hereby adopted and, subject to the provisions set forth, the
18 several amounts specified, or as much thereof as may be necessary to
19 accomplish the purposes designated, are hereby appropriated from the
20 several accounts and funds named to the designated state agencies and

1 offices for employee compensation and other expenses, for capital
2 projects, and for other specified purposes, including the payment of
3 any final judgments arising out of such activities, for the period
4 ending June 30, 2023.

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

7 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending
8 June 30, 2022.

9 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending
10 June 30, 2023.

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

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

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

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

23 (g) "LEAP" means the legislative evaluation and accountability
24 program committee.

25 **GENERAL GOVERNMENT AGENCIES—OPERATING**

26 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
27 **HISTORIC PRESERVATION**

28 Motor Vehicle Account—State Appropriation \$546,000

29 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
30 **COMMISSION**

31 Grade Crossing Protective Account—State Appropriation . . . \$504,000

32 Pilotage Account—State Appropriation. \$150,000

33 Multimodal Transportation Account—State Appropriation. . . . \$225,000

34 TOTAL APPROPRIATION. \$879,000

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

1 (1) \$225,000 of the multimodal transportation account—state
2 appropriation is provided solely for the commission to prepare an
3 inventory of rail safety oversight conducted by state agencies in
4 other states identified for review by program area as compared to the
5 role of state agencies in Washington due September 1, 2022. This
6 inventory must include a comparison of the oversight conducted by
7 state agencies in California and New York, as well as other state
8 agencies selected by the commission that play a broader role in rail
9 safety oversight than state agencies in Washington. In developing its
10 inventory, the commission shall include consideration of the
11 relationship of state efforts to federal law. The inventory must
12 include information related to safety oversight, coordination,
13 communication, and enforcement of state and federal laws and
14 regulations relating to transportation of persons or commodities, or
15 both, of any nature or description by rail.

16 (2) The commission must host one workshop with interested
17 parties. The purpose of the workshop is to ensure consideration of
18 relevant information in development of an inventory of current
19 efforts in rail safety oversight by other states that can inform the
20 legislature's intended expansion of the role of the commission in
21 rail safety in the state of Washington. The purpose of the workshop
22 is not to foreclose consideration of a specific legislative approach.
23 Interested legislators and legislative staff and staff of the
24 governor's office may participate in the workshop or workshops.
25 Participation in the workshop must include, but is not limited to,
26 representatives of:

- 27 (a) Host and tenant railroads;
- 28 (b) Rail labor organizations;
- 29 (c) The state safety oversight agency for rail fixed guideway
30 public transportation systems;
- 31 (d) Operators of, and entities providing financial support for,
32 intercity passenger rail and rail fixed guideway systems;
- 33 (e) Local jurisdictions;
- 34 (f) Rail advocacy organizations;
- 35 (g) State emergency management organizations;
- 36 (h) The department of ecology;
- 37 (i) The department of labor and industries;
- 38 (j) The national transportation safety board;
- 39 (k) The federal railroad administration; and
- 40 (l) The pipeline and hazardous materials safety administration.

1 (3) The commission shall review, at a minimum, the report of the
2 national transportation safety board report on the 2017 Amtrak
3 derailment, the joint transportation committee's 2020 rail safety
4 governance study, Engrossed Substitute House Bill No. 1418 (2021), as
5 passed by the house on March 7, 2021, relevant federal laws and
6 rules, and state rail safety plans.

7 (4) The commission's inventory must include, but is not limited
8 to:

9 (a) An analysis of expanding the commission's role to match the
10 role of other state agencies examined, including as it relates to
11 oversight of implementation of new and materially changed railroad
12 operations and infrastructure; operator safety management practices;
13 the safety of transportation of crude oil by rail and enforcement of
14 chapter 90.56 RCW; the safety and oversight of rail fixed guideway
15 systems as defined in RCW 81.104.015; annual reporting practices; and
16 rail safety communication and collaboration efforts, including
17 through the use of a rail safety committee;

18 (b) A review of federal preemption issues and analysis of state
19 rail safety authority in the context of the current rail safety
20 oversight role of other states, as examined in this section;

21 (c) A review of workshop discussions;

22 (d) Estimated costs associated with implementation in Washington
23 state of the safety program elements included in the inventory
24 required in this section, itemized by program area and level of
25 oversight performed, including estimated costs of options to improve
26 the safety of transportation of crude oil by rail and enforcement of
27 chapter 90.56 RCW;

28 (e) A review of revenue sources that support rail safety
29 oversight activities in other states included in the inventory,
30 including federal revenue sources. For each source, the review must
31 also include:

32 (i) Estimates of revenue generated if imposed in Washington;

33 (ii) Estimates of how much would be paid by different types of
34 entities; and

35 (f) A review of the level of liability protection afforded
36 agencies that perform rail safety oversight under state law in the
37 states examined in the inventory conducted.

38 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

39 Motor Vehicle Account—State Appropriation \$1,441,0000

1	Puget Sound Ferry Operations Account—State Appropriation . . .	\$126,000
2	Multimodal Transportation Account—State Appropriation. . . .	\$250,000
3	TOTAL APPROPRIATION.	\$1,817,000

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

6 \$250,000 of the multimodal transportation account—state
7 appropriation is provided solely for the office of financial
8 management, in collaboration with the Washington department of
9 transportation and the office of the chief information officer, to
10 conduct an evaluation of short term and long term facility and
11 information technology needs. In conducting the evaluation, the
12 office of financial management may contract with an entity with
13 direct expertise in this area. The office of financial management
14 must submit a final report of their evaluation by October 1, 2022.
15 The evaluation must be coordinated with any legislatively directed
16 study regarding leased space. The evaluation must include, but is not
17 limited to:

18 (1) Development of a status quo scenario based on current policy
19 and projections and two alternative scenarios of the number of people
20 and percentage of staff in telework status on a permanent basis with
21 one alternative being the minimum feasible level of teleworking and
22 one alternative being the maximum feasible level of teleworking;

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

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

29 (4) Analysis of opportunities to colocate with other state,
30 local, and other public agencies to reduce costs and improve cost-
31 efficiency;

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

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

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

4 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
5 **COMMISSION**

6 Motor Vehicle Account—State Appropriation \$1,186,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: The appropriation in this section is
9 provided solely for road maintenance purposes.

10 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**
11 Motor Vehicle Account—State Appropriation \$1,346,000

12 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
13 **ACCOUNTABILITY PROGRAM COMMITTEE**

14 Motor Vehicle Account—State Appropriation \$668,000

15 NEW SECTION. **Sec. 107. FOR THE EVERGREEN STATE COLLEGE**
16 Motor Vehicle Account—State Appropriation \$150,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The total appropriation in this section
19 is provided solely for the Washington state institute for public
20 policy to conduct a cost-benefit analysis for an exclusive or partial
21 American steel requirement for future transportation contracts and
22 subcontracts authorized in the transportation budget. This cost-
23 benefit analysis must, to the extent feasible: (1) Compare existing
24 types and uses of steel to made in America steel alternatives
25 including evaluation of quality; (2) examine benefits to Washington
26 workers and the Washington economy; (3) examine lifecycle and
27 embodied carbon greenhouse gas emissions; (4) identify requirements
28 for purchasing American steel that minimize costs and maximize
29 benefits; and (5) evaluate American steel requirements or preferences
30 in other states. The Washington state institute for public policy may
31 solicit input for the analysis from representatives of interested
32 parties to include, but not be limited to, the construction and
33 manufacturing sectors, organized labor in the construction and
34 manufacturing sectors, cities, counties, American steel manufacturing
35 companies, environmental advocacy organizations, and appropriate

1 state agencies. A final report is due to the legislature by December
2 1, 2021.

3 NEW SECTION. **Sec. 108. FOR THE OFFICE OF MINORITY AND WOMEN'S**
4 **BUSINESS ENTERPRISES**

5 Motor Vehicle Account—State Appropriation \$2,000,000

6 The appropriation in this section is subject to the following
7 conditions and limitations: The entire appropriation in this section
8 is provided solely for increasing the number of certified women and
9 minority-owned contractors outside of the Puget Sound area in the
10 transportation sector and supporting these contractors to
11 successfully compete and earn more transportation contracting
12 opportunities. This shall be done through various programs including
13 but not limited to: (1) Outreach to women and minority business
14 communities and individuals; (2) technical assistance as needed in
15 areas such as financing, accounting, contracting, procurement, and
16 resolution of disputes and grievances; (3) language access programs
17 for those with limited English proficiency; and (4) other programs
18 that aim to increase the number of women and minority contractors
19 that are successful in obtaining contracts in the transportation
20 sector either directly with state agencies such as the department,
21 with local jurisdictions, or as subcontractors for prime contractors.

22 NEW SECTION. **Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS**
23 Pilotage Account—State Appropriation \$5,777,000

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

26 (1) \$2,926,000 of the pilotage account—state appropriation is
27 provided solely for self-insurance liability premium expenditures;
28 however, this appropriation is contingent upon the board:

29 (a) Annually depositing the first \$150,000 collected through
30 Puget Sound pilotage district pilotage tariffs into the pilotage
31 account; and

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

35 (2) The board of pilotage commissioners shall file the annual
36 report to the governor and chairs of the transportation committees
37 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually

1 thereafter. The report must include the continuation of policies and
2 procedures necessary to increase the diversity of pilots, trainees,
3 and applicants, including a diversity action plan. The diversity
4 action plan must articulate a comprehensive vision of the board's
5 diversity goals and the steps it will take to reach those goals.

6 NEW SECTION. **Sec. 110. FOR THE HOUSE OF REPRESENTATIVES**

7 Motor Vehicle Account—State Appropriation \$3,210,000

8 NEW SECTION. **Sec. 111. FOR THE SENATE**

9 Motor Vehicle Account—State Appropriation \$3,085,000

10 NEW SECTION. **Sec. 112. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

11 Motor Vehicle Account—State Appropriation. \$400,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: \$400,000 of the motor vehicle account—
14 state appropriation is provided solely for the department, from
15 amounts set aside out of statewide fuel taxes distributed to cities
16 according to RCW 46.68.110(2), to contract with the association of
17 Washington cities to inventory and assess fish passage barriers
18 associated with city roads located in the *U.S. v. Washington* case
19 area, water resource inventory area numbers one through 23. The study
20 is a continuation of previous inventories, and must finalize a
21 complete inventory of city-owned fish passage barriers in water
22 resource inventory area numbers one through 23. The inventories and
23 assessments must be conducted using the methods described in the
24 department's fish passage, inventory, assessment, and prioritization
25 manual. A report of the study must be provided to the office of
26 financial management and the transportation committees of the
27 legislature by July 1, 2023.

28 NEW SECTION. **Sec. 113. FOR THE JOINT LEGISLATIVE AUDIT AND**
29 **REVIEW COMMITTEE**

30 Puget Sound Ferry Capital Construction Account—State
31 Appropriation \$300,000
32 Multimodal Transportation Account—State Appropriation. . . . \$200,000
33 TOTAL APPROPRIATION. \$500,000

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

1 (1) \$300,000 of the Puget Sound ferry capital construction
2 account—state is provided solely for an independent review of the
3 design-build contracting process for the hybrid-electric Olympic
4 class vessels. The review must evaluate, at minimum, the department's
5 cost estimation and cost management practices relating to the design
6 and construction of the first hybrid-electric vessel. The review must
7 include recommendations to benefit the full program for the design
8 and construction of five hybrid-electric vessels. The joint
9 legislative audit and review committee must report to the legislature
10 with the findings by October 1, 2022.

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

35 **TRANSPORTATION AGENCIES—OPERATING**

36 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
37 **COMMISSION**

1	Highway Safety Account—State Appropriation	\$4,625,000
2	Highway Safety Account—Federal Appropriation	\$27,202,000
3	Highway Safety Account—Private/Local Appropriation	\$60,000
4	School Zone Safety Account—State Appropriation	\$850,000
5	TOTAL APPROPRIATION.	\$32,737,000

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

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

25 For purposes of the demonstration project, an automated
26 enforcement technology device may record an image of a driver and
27 passenger of a motor vehicle. The county and PTBA must erect signs
28 marking the locations where the automated enforcement for HOV
29 passenger requirements is occurring.

30 The PTBA, in consultation with the Washington traffic safety
31 commission, must provide a report to the transportation committees of
32 the legislature with the number of violations detected during the
33 demonstration project, whether the technology used was accurate and
34 any recommendations for future use of automated enforcement
35 technology for HOV lane enforcement by June 30, 2022.

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

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

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

8 (c) Any city administering a pilot program overseen by the
9 traffic safety commission shall use the following guidelines to
10 administer the program:

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

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

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

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

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

32 (vi) Notwithstanding any other provision of law, all photographs,
33 videos, microphotographs, audio recordings, or electronic images
34 prepared under this section are for the exclusive use of law
35 enforcement in the discharge of duties under this section and are not
36 open to the public and may not be used in a court in a pending action
37 or proceeding. No photograph, microphotograph, audio recording, or
38 electronic image may be used for any purpose other than the issuance
39 of warnings for violations under this section or retained longer than

1 necessary to issue a warning notice as required under this subsection
2 (2); and

3 (vii) By June 30, 2023, the participating cities shall provide a
4 report to the commission and appropriate committees of the
5 legislature regarding the use, public acceptance, outcomes, warnings
6 issued, data retention and use, and other relevant issues regarding
7 automated vehicle noise enforcement cameras demonstrated by the pilot
8 projects.

9 (3) The Washington traffic safety commission shall coordinate
10 with each city that implements a pilot program as authorized in RCW
11 46.63.170, chapter 224, Laws of 2020 to provide the transportation
12 committees of the legislature with the following information by June
13 30, 2023:

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

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

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

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

22 Rural Arterial Trust Account—State Appropriation	\$1,134,000
23 Motor Vehicle Account—State Appropriation	\$4,760,000
24 County Arterial Preservation Account—State	
25 Appropriation	\$1,669,000
26 TOTAL APPROPRIATION.	\$7,563,000

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$2,000,000 of the motor vehicle account—
29 state appropriation is provided solely for deposit into the county
30 road administration board emergency loan account—state account.

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

32 Transportation Improvement Account—State	
33 Appropriation	\$4,510,000

34 NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

35 Motor Vehicle Account—State Appropriation	\$2,679,000
36 Multimodal Transportation Account—State Appropriation.	\$420,000

1 TOTAL APPROPRIATION. \$3,099,000

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

4 (1) (a) \$250,000 of the motor vehicle account—state appropriation
5 is for the joint transportation committee to convene a vehicle
6 registration payment work group to study and recommend new options
7 for payment of vehicle fees or taxes due at the time of application
8 for vehicle registration.

9 (b) The work group must consist of, but is not limited to, the
10 following members: A representative of the department of licensing, a
11 representative of county auditors, a representative of subagents, a
12 representative of local taxing authorities imposing a fee or tax due
13 at the time of application for vehicle registration, a representative
14 of a city offering or considering a rebate program for vehicle fees
15 or taxes due at the time of application for vehicle registration, a
16 representative of vehicle owners subject to a motor vehicle excise
17 tax, a representative of vehicle owners subject to an electric car or
18 transportation electrification fee, and an advocate for multimodal
19 transportation options. Work group members are eligible for
20 reimbursement or allowance for expenses pursuant to RCW 43.03.220.

21 (c) The work group must engage with members of the public who are
22 interested in new options for payment of fees or taxes due at the
23 time of application for vehicle registration, including persons from
24 communities of color, low-income households, vulnerable populations,
25 and displaced communities. Input from members of the public must
26 inform the work group's recommendations. The work group must notify
27 members of the public of opportunities to engage through a variety of
28 communication channels including, but not limited to, the following:
29 Outreach through community organizations, print and broadcast media,
30 and social media.

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

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

36 (ii) An agreed upon service fee structure for vehicle
37 registration payment plans;

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

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

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

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

9 (e) A report of the work group's findings and recommendations is
10 due to the transportation committees of the legislature by September
11 30, 2022.

12 (2) \$50,000 of the motor vehicle account—state appropriation is
13 for the joint transportation committee to contract for a legal
14 consultant to analyze and recommend options for the formation of a
15 bistate bridge authority for the purpose of constructing, financing,
16 operating and maintaining a new replacement bridge over the Columbia
17 River near Hood River connecting Klickitat county in Washington to
18 Hood River county in Oregon. The consultant may confer with the Hood
19 River Bistate Working Group to understand the work and analysis that
20 has been completed.

21 The Washington interlocal cooperation act, chapter 39.34 RCW,
22 authorizes public agencies to contract with other public agencies via
23 interlocal agreements that enable cooperation among the agencies to
24 perform governmental activities and deliver public services,
25 including agreements with public entities in other states. Such
26 interstate agreements are deemed interstate compacts. The legal
27 analysis must identify and recommend alternative and/or additional
28 statutory authority that would be necessary to allow for the
29 formation of a local government bistate bridge authority or
30 governance structure for the Hood River Bridge replacement that at a
31 minimum may:

32 (a) Issue bonds for bridge construction;

33 (b) Collect tolls; and

34 (c) Secure and administer state or federal grants and loans.

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

37 (3) \$220,000 of the multimodal transportation account—state
38 appropriation is for overseeing a consultant study to provide
39 recommendations related to the Washington state department of
40 transportation's role in broadband service expansion efforts as

1 directed in chapter . . . (Engrossed Substitute House Bill No. 1457),
2 Laws of 2021 (broadband along state highways). If chapter . . .
3 (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband
4 along state highways) is not enacted by June 30, 2021, the amount
5 provided in this subsection lapses.

6 (4) \$215,000 of the motor vehicle account—state appropriation is
7 provided solely for the joint transportation committee, from amounts
8 set aside out of statewide fuel taxes distributed to cities according
9 to RCW 46.68.110(2), to convene a study on the impacts of current and
10 historical city transportation investments on designated populations,
11 including communities of color, low-income households, vulnerable
12 populations, and displaced communities. The study must identify and
13 measure the true costs of underinvestment of accessible
14 transportation for designated populations, including the secondary
15 impacts to public health, economic opportunity, educational access,
16 and environmental risk factors. The assessment must include specific
17 approaches to addressing existing inequities within cities, as well
18 as recommendations to develop best practices to improve, diversify,
19 and expand city transportation investments. A report must be provided
20 to the office of financial management and the transportation
21 committees of the legislature by December 20, 2022.

22 (5) \$400,000 of the motor vehicle account—state appropriation is
23 for the development of a workforce plan for the Washington state
24 ferries which addresses recruitment, retention, diversity, training
25 needs, leadership development, succession planning and other elements
26 needed to ensure sufficient and cost-effective crewing and staffing
27 of the ferry system. In developing the scope of work for the plan and
28 throughout plan development, the joint transportation committee must
29 solicit input from representatives of the Washington state ferries
30 division and the human resources division of the Washington state
31 department of transportation. Represented employee groups must also
32 be consulted as part of plan development. The plan must include a
33 roadmap for Washington state ferries to comprehensively address
34 persistent staffing challenges and strategically position itself for
35 its future workforce needs. The joint transportation committee must
36 issue an interim report identifying short-term strategies to reduce
37 reliance on overtime for staffing day-to-day ferry service. The
38 interim report is due to the transportation committees of the
39 legislature by January 1, 2022. The final report is due to the
40 transportation committees of the legislature by December 20, 2022.

1 (6) \$200,000 of the multimodal transportation account—state
2 appropriation is for the joint transportation committee to update the
3 Washington State Short Line Rail Inventory and Needs Assessment,
4 prepared in 2015, and to facilitate a stakeholder process to assess
5 the effectiveness of state support for short line rail infrastructure
6 based on current and future short line rail infrastructure needs.
7 This assessment must include consideration of current state grant and
8 loan programs, including state investment in nonstate owned short
9 lines, the state's role and investments in the Palouse River and
10 Coulee City (PCC) rail system, and any other ongoing state activities
11 related to short line rail infrastructure. The joint transportation
12 committee must solicit input from all regions of the state from
13 representatives of: Short line rail infrastructure owners, short line
14 rail operators, short line rail customers from representative
15 industries, ports served by short line rail infrastructure, the
16 Washington state department of transportation, the utilities and
17 transportation commission, and other relevant stakeholders as
18 identified by the joint transportation committee. A report with
19 recommendations to enhance the state's support for short line rail
20 infrastructure is due to the transportation committees of the
21 legislature by January 1, 2022.

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

30 (i) Assess the magnitude of potential impact;
31 (ii) Assess the potential difficulty level of implementation; and
32 (iii) Explain barriers to success and specific steps required to
33 overcome them.

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

36 (i) Specific cooperative private sector and government actions;
37 (ii) Legal and regulatory frameworks at the state level to drive
38 private and/or public-sector action;
39 (iii) Incentive-based government programs to spur private sector
40 innovation and investment; and

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

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

6 (d) Outreach for action plan input, including on the feasibility
7 of each opportunity evaluated, must include outreach to
8 representatives of: The trucking industry; truck labor organizations;
9 the shipping industry; truck stop owners; commercial freight delivery
10 recipients, including warehouse and retail recipients; the
11 association of Washington cities; the Washington state association of
12 counties; the Washington state department of transportation; the
13 Washington state patrol; and an academic or research institution that
14 can provide input on technical components of the plan.

15 (e) A concise action plan with specific recommended next steps is
16 due to the transportation committees of the legislature by January 1,
17 2022.

18 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

19	Motor Vehicle Account—State Appropriation	\$2,438,000
20	Interstate 405 and State Route Number 167 Express Toll Lanes	
21	Account—State Appropriation.	\$127,000
22	State Route Number 520 Corridor Account—State	
23	Appropriation.	\$276,000
24	Tacoma Narrows Toll Bridge Account—State	
25	Appropriation.	\$180,000
26	Alaskan Way Viaduct Replacement Project	
27	Account—State Appropriation.	\$172,000
28	TOTAL APPROPRIATION.	\$3,193,000

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

31 (1) The commission shall reconvene the road usage charge steering
32 committee, with the same membership described in chapter 297, Laws of
33 2018, and shall periodically report to the steering committee with
34 updates on activities undertaken in accordance with the federal grant
35 awarded July 2020 ("Forward Drive"). A year-end update on the status
36 of any federally-funded project for which federal funding is secured
37 must be provided to the governor's office and the transportation
38 committees of the legislature by January 1, 2022, and by January 1,

1 2023. Any legislative vacancies on the steering committee must be
2 appointed by the speaker of the house of representatives for a house
3 of representatives member vacancy, and by the president of the senate
4 for a senate member vacancy.

5 (2) \$200,000 of the motor vehicle account—state appropriation is
6 provided solely for the implementation of chapter . . . (Substitute
7 Senate Bill No. 5444), Laws of 2021 (per mile charge). If
8 chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not
9 enacted by June 30, 2021, the amount provided in this subsection
10 lapses.

11 (3) \$127,000 of the Interstate 405 and state route number 167
12 express toll lanes account—state appropriation, \$276,000 of the state
13 route number 520 corridor account—state appropriation, \$180,000 of
14 the Tacoma Narrows toll bridge account—state appropriation, and
15 \$172,000 of the Alaskan Way viaduct replacement project account—state
16 appropriation are provided solely for the transportation commission's
17 proportional share of time spent supporting tolling operations for
18 the respective tolling facilities.

19 (4) \$50,000 of the motor vehicle account—state appropriation is
20 provided solely for the commission to identify and measure how a road
21 usage charge could be adjusted so that vehicles of comparable
22 efficiency pay the same rate regardless of their means of propulsion
23 and examine options for indexing to stabilize revenue as vehicle
24 fleets become more efficient over time. If chapter . . . (Substitute
25 Senate Bill No. 5444), Laws of 2021 is not enacted by June 30, 2021,
26 the amount provided in this subsection lapses.

27 (5)(a) The transportation budget is currently reliant on vehicle
28 and driver related fees. Motor vehicle registrations, driver
29 licenses, tolls, and the motor vehicle fuel tax provide the primary
30 revenues for the transportation budget. These user revenues no longer
31 adequately support the transportation system's needs. Many of the
32 transportation modes have no or little ability to generate revenue,
33 yet are important elements of a functioning transportation network.
34 Providing transportation options that do not involve passenger
35 vehicles is critical. The tax burden in the transportation budget
36 falls on people that own and drive vehicles. It fails to provide the
37 money needed for the system quality that the people of Washington
38 want.

1 (b) Therefore, the commission is directed to evaluate, identify,
 2 and consider agencies, programs, and activities that are currently
 3 funded in the transportation budget that provide a public good that
 4 might be paid for using other revenues. The commission is directed to
 5 make recommendations for potential changes to funding sources for the
 6 transportation system with the goal of providing funding to maintain
 7 existing transportation assets in a state of good repair without
 8 exclusively relying on vehicle owners or drivers as the revenue
 9 source. Preliminary findings must be presented to the Joint
 10 Transportation Committee by September 30, 2022, and a final report
 11 issued to the appropriate committees of the legislature by December
 12 1, 2022.

13 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
 14 **INVESTMENT BOARD**

15 Freight Mobility Investment Account—State
 16 Appropriation \$831,000

17 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

18 State Patrol Highway Account—State Appropriation \$517,391,000
 19 State Patrol Highway Account—Federal Appropriation . . . \$15,838,000
 20 State Patrol Highway Account—Private/Local
 21 Appropriation \$4,267,000
 22 Highway Safety Account—State Appropriation \$1,214,000
 23 Ignition Interlock Device Revolving Account—State
 24 Appropriation \$5,053,000
 25 Multimodal Transportation Account—State Appropriation . . . \$288,000
 26 State Route Number 520 Corridor Account—State
 27 Appropriation. \$433,000
 28 Tacoma Narrows Toll Bridge Account—State
 29 Appropriation. \$77,000
 30 I-405 and SR 167 Express Toll Lanes Account—State
 31 Appropriation. \$1,348,000
 32 TOTAL APPROPRIATION. \$545,909,000

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

35 (1) Washington state patrol officers engaged in off-duty
 36 uniformed employment providing traffic control services to the
 37 department of transportation or other state agencies may use state

1 patrol vehicles for the purpose of that employment, subject to
2 guidelines adopted by the chief of the Washington state patrol. The
3 Washington state patrol must be reimbursed for the use of the vehicle
4 at the prevailing state employee rate for mileage and hours of usage,
5 subject to guidelines developed by the chief of the Washington state
6 patrol.

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

25 (3) \$4,000,000 of the state patrol highway account—state
26 appropriation is provided solely for a third arming and a third
27 trooper basic training class. The cadet class is expected to graduate
28 in June 2023.

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

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

34 (b) The number of transportation funded staff vacancies by major
35 category;

36 (c) The number of applicants for each of the positions by these
37 categories;

38 (d) The composition of workforce;

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

1 (f) Activities related to the implementation of the agency's
2 workforce diversity plan, including short-term and long-term,
3 specific comprehensive outreach and recruitment strategies to
4 increase populations underrepresented within both commissioned and
5 noncommissioned employee groups.

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

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

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

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

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

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

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

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

11 (13) \$945,000 of the state patrol highway account—state
12 appropriation is provided solely for implementation of chapter . . .
13 (Substitute House Bill No. 1223), Laws of 2021 (custodial
14 interrogations). If chapter . . . (Substitute House Bill No. 1223),
15 Laws of 2021 (custodial interrogations) is not enacted by June 30,
16 2021, the amount provided in this subsection lapses.

17 (14) \$46,000 of the state patrol highway account—state
18 appropriation is provided solely for implementation of chapter . . .
19 (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace
20 officer tactics). If chapter . . . (Engrossed Substitute House Bill
21 No. 1054), Laws of 2021 (peace officer tactics) is not enacted by
22 June 30, 2021, the amount provided in this subsection lapses.

23 (15) \$46,000 of the state patrol highway account—state
24 appropriation is provided solely for implementation of chapter . . .
25 (Engrossed Second Substitute House Bill No. 1310), Laws of 2021 (use
26 of force by officers). If chapter . . . (Engrossed Second Substitute
27 House Bill No. 1310), Laws of 2021 (use of force by officers) is not
28 enacted by June 30, 2021, the amount provided in this subsection
29 lapses.

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

1 impede the Washington state patrol's ongoing use of the water
2 connection extension.

3 (b) \$2,220,000 of the transfer from the waste tire removal
4 account to the motor vehicle fund, as required under RCW 70A.205.425,
5 reimburses the motor vehicle fund for the portion of the water
6 project costs assigned by the agreement to properties, other than the
7 Washington state patrol academy, that make use of the water
8 connection while the agreement remains in effect. This reimbursement
9 to the motor vehicle fund is intended to address any possibility that
10 the termination of this agreement could be determined to result in
11 the unconstitutional use of 18th amendment designated funds for
12 nonhighway purposes under the constitution of the state of
13 Washington; however, this transfer is not intended to indicate that
14 the incidental use of this infrastructure by these properties
15 necessarily requires such reimbursement under the state Constitution.
16 Immediately following the transfer of funds, Washington state patrol
17 and the city of Shelton shall meet to formally update the terms of
18 their "Agreement for Utility Connection and Reimbursement of Water
19 Extension Expenses" executed on June 12, 2017, to reflect the intent
20 of the proviso.

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

26 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF LICENSING**

27	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
28	Motorcycle Safety Education Account—State	
29	Appropriation	\$4,894,000
30	Limited Fish and Wildlife Account—State	
31	Appropriation	\$917,000
32	Highway Safety Account—State Appropriation	\$241,868,000
33	Highway Safety Account—Federal Appropriation	\$1,294,000
34	Motor Vehicle Account—State Appropriation	\$73,327,000
35	Motor Vehicle Account—Federal Appropriation.	\$150,000
36	Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
37	Ignition Interlock Device Revolving Account—State	
38	Appropriation	\$6,071,000

1	Department of Licensing Services Account—State	
2	Appropriation	\$8,157,000
3	License Plate Technology Account—State	
4	Appropriation	\$4,250,000
5	Abandoned Recreational Vehicle Account—State	
6	Appropriation.	\$3,066,000
7	Limousine Carriers Account—State Appropriation.	\$110,000
8	Electric Vehicle Account—State Appropriation.	\$405,000
9	DOL Technology Improvement & Data Management	
10	Account—State Appropriation.	\$748,000
11	Agency Financial Transaction Account—State	
12	Appropriation.	\$21,257,000
13	Driver Licensing Technology Support	
14	Account—State Appropriation.	\$1,373,000
15	TOTAL APPROPRIATION.	\$374,521,000

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

18 (1) \$1,100,000 of the highway safety account—state appropriation
19 is provided solely for the department to provide an interagency
20 transfer to the department of social and health services, children's
21 administration division for the purpose of providing driver's license
22 support to a larger population of foster youth than is already served
23 within existing resources. Support services include reimbursement of
24 driver's license issuance costs, fees for driver training education,
25 and motor vehicle liability insurance costs.

26 (2) The appropriations in this section assume implementation by
27 the department of cost recovery mechanisms to recoup at least
28 \$21,257,000 during the 2021-2023 biennium in credit card and other
29 financial transaction costs as part of charges imposed for driver and
30 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
31 department must report any amounts recovered to the office of
32 financial management and appropriate committees of the legislature on
33 a quarterly basis.

34 (3) (a) For the 2021-2023 biennium, the department shall charge
35 \$6,600,000 for the administration and collection of a motor vehicle
36 excise tax on behalf of a regional transit authority, as authorized
37 under RCW 82.44.135. The amount in this subsection must be deducted
38 before distributing any revenues to a regional transit authority.

1 (b) \$100,000 of the motor vehicle account—state appropriation is
2 provided solely for the department to work with the regional transit
3 authority imposing a motor vehicle excise tax pursuant to RCW
4 81.104.160 and transportation benefit districts imposing vehicle fees
5 pursuant to RCW 82.80.140, and other relevant parties, to determine
6 cost recovery options for the administration and collection of the
7 taxes and fees. The options must include:

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

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

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

15 (4) \$12,000 of the motorcycle safety education account—state
16 appropriation, \$2,000 of the limited fish and wildlife account—state
17 appropriation, \$728,000 of the highway safety account—state
18 appropriation, \$238,000 of the motor vehicle account—state
19 appropriation, \$10,000 of the ignition interlock device revolving
20 account—state appropriation, and \$10,000 of the department of
21 licensing services account—state appropriation are provided solely
22 for the department to redesign and improve its online services and
23 website, and are subject to the conditions, limitations, and review
24 requirements of section 701 of this act.

25 (5) \$28,636,000 of the highway safety account—state appropriation
26 is provided solely for costs necessary to accommodate increased
27 demand for enhanced drivers' licenses and enhanced identicards. The
28 department shall report on a quarterly basis on the use of these
29 funds, associated workload, and information with comparative
30 information with recent comparable months in prior years. The report
31 must include detailed statewide and by licensing service office
32 information on staffing levels, average monthly wait times, the
33 number of enhanced drivers' licenses and enhanced identicards issued/
34 renewed, and the number of primary drivers' licenses and identicards
35 issued/renewed. Within the amounts provided in this subsection, the
36 department shall implement efficiency measures to reduce the time for
37 licensing transactions and wait times including, but not limited to,
38 the installation of additional cameras at licensing service offices

1 that reduce bottlenecks and align with the "keep your customer"
2 initiative.

3 (6) \$500,000 of the highway safety account—state appropriation is
4 provided solely for communication and outreach activities necessary
5 to inform the public of federally acceptable identification options
6 including, but not limited to, enhanced drivers' licenses and
7 enhanced identicards. The department shall continue the outreach plan
8 that includes informational material that can be effectively
9 communicated to all communities and populations in Washington. To
10 accomplish this work, the department shall contract with an external
11 vendor with demonstrated experience and expertise in outreach and
12 marketing to underrepresented communities in a culturally responsive
13 fashion.

14 (7) \$523,000 of the highway safety account—state appropriation is
15 provided solely for the implementation of chapter . . . (Substitute
16 House Bill No. 1207), Laws of 2021 (DOL issued documents). If
17 chapter . . . (Substitute House Bill No. 1207), Laws of 2021 is not
18 enacted by June 30, 2021, the amount provided in this subsection
19 lapses.

20 (8) \$1,373,000 of the driver licensing technology support account
21 —state appropriation is provided solely for the implementation of
22 chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of
23 2021 (suspension of licenses for traffic infractions). If
24 chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of
25 2021 is not enacted by June 30, 2021, the amount provided in this
26 subsection lapses.

27 (9) \$23,000 of the highway safety account—state appropriation is
28 provided solely for the implementation of chapter 10 (Engrossed
29 Substitute House Bill No. 1078), Laws of 2021 (restoring voter
30 eligibility after felony conviction).

31 (10) \$3,074,000 of the abandoned recreational vehicle disposal
32 account—state appropriation is provided solely for providing
33 reimbursements in accordance with the department's abandoned
34 recreational vehicle disposal reimbursement program. It is the intent
35 of the legislature that the department prioritize this funding for
36 allowable and approved reimbursements and not to build a reserve of
37 funds within the account. During the 2021-2023 fiscal biennium, the
38 department must report any amounts recovered to the office of

1 financial management and appropriate committees of the legislature on
2 a quarterly basis.

3 (11) (a) \$54,000 of the motor vehicle account—state appropriation
4 is provided solely for the issuance of nonemergency medical
5 transportation vehicle decals to implement the high occupancy vehicle
6 lane access pilot program established in section 216 of this act. A
7 for hire nonemergency medical transportation vehicle is a vehicle
8 that is a "for hire vehicle" under RCW 46.04.190 that provides
9 nonemergency medical transportation, including for life-sustaining
10 transportation purposes, to meet the medical transportation needs of
11 individuals traveling to medical practices and clinics, cancer
12 centers, dialysis facilities, hospitals, and other care providers.

13 (b) As part of this pilot program, the owner of a for hire
14 nonemergency medical transportation vehicle may apply to the
15 department, county auditor or other agent, or subagent appointed by
16 the director, for a high occupancy vehicle exempt decal for a for
17 hire nonemergency medical transportation vehicle. The high occupancy
18 vehicle exempt decal allows the for hire nonemergency medical
19 transportation vehicle to use a high occupancy vehicle lane as
20 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
21 biennium.

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

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

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

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

29 (d) The owner of a for hire nonemergency medical transportation
30 vehicle or the owner's representative must apply for a high occupancy
31 vehicle exempt decal on a form provided or approved by the
32 department. The application must include:

33 (i) The name and address of the person who is the owner of the
34 vehicle;

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

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

38 (iv) An attestation signed by the vehicle's owner or the owner's
39 representative that the vehicle's owner has a minimum of one contract
40 or service agreement to provide for hire transportation services for

1 medical purposes with one or more of the following entities: A health
2 insurance company; a hospital, clinic, dialysis center, or other
3 medical institution; a day care center, retirement home, or group
4 home; a federal, state, or local agency or jurisdiction; or a broker
5 who negotiates these services on behalf of one or more of these
6 entities; and

7 (v) Other information as required by the department upon
8 application.

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

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

15 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
16 and must be marked to indicate its expiration date. The decal may be
17 renewed if the pilot program is continued past the date of a decal's
18 expiration. The status as an exempt vehicle continues until the high
19 occupancy vehicle exempt decal is suspended or revoked for misuse,
20 the vehicle is no longer used as a for hire nonemergency medical
21 transportation vehicle, or the pilot program established in section
22 216 of this act is terminated.

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

24 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

26	State Route Number 520 Corridor Account—State	
27	Appropriation	\$53,689,000
28	State Route Number 520 Civil Penalties Account—State	
29	Appropriation	\$4,122,000
30	Tacoma Narrows Toll Bridge Account—State	
31	Appropriation	\$29,809,000
32	Alaskan Way Viaduct Replacement Project Account—State	
33	Appropriation.	\$20,840,000
34	Interstate 405 and State Route Number 167 Express	
35	Toll Lanes Account—State Appropriation.	\$23,910,000
36	TOTAL APPROPRIATION.	\$132,370,000

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

1 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
2 appropriation and \$12,484,000 of the state route number 520 corridor
3 account—state appropriation are provided solely for the purposes of
4 addressing unforeseen operations and maintenance costs on the Tacoma
5 Narrows bridge and the state route number 520 bridge, respectively.
6 The office of financial management shall place the amounts provided
7 in this subsection, which represent a portion of the required minimum
8 fund balance under the policy of the state treasurer, in unallotted
9 status. The office may release the funds only when it determines that
10 all other funds designated for operations and maintenance purposes
11 have been exhausted.

12 (2) As long as the facility is tolled, the department must
13 provide annual reports to the transportation committees of the
14 legislature on the Interstate 405 express toll lane project
15 performance measures listed in RCW 47.56.880(4). These reports must
16 include:

17 (a) Information on the travel times and travel time reliability
18 (at a minimum, average and 90th percentile travel times) maintained
19 during peak and nonpeak periods in the express toll lanes and general
20 purpose lanes for both the entire corridor and commonly made trips in
21 the corridor including, but not limited to, northbound from Bellevue
22 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
23 state route number 522, Bellevue to Bothell (both NE 8th to state
24 route number 522 and NE 8th to state route number 527), and a trip
25 internal to the corridor (such as NE 85th to NE 160th) and similar
26 southbound trips;

27 (b) A month-to-month comparison of travel times and travel time
28 reliability for the entire corridor and commonly made trips in the
29 corridor as specified in (a) of this subsection since implementation
30 of the express toll lanes and, to the extent available, a comparison
31 to the travel times and travel time reliability prior to
32 implementation of the express toll lanes;

33 (c) Total express toll lane and total general purpose lane
34 traffic volumes, as well as per lane traffic volumes for each type of
35 lane (i) compared to total express toll lane and total general
36 purpose lane traffic volumes, as well as per lane traffic volumes for
37 each type of lane, on this segment of Interstate 405 prior to
38 implementation of the express toll lanes and (ii) compared to total
39 express toll lane and total general purpose lane traffic volumes, as

1 well as per lane traffic volumes for each type of lane, from month to
2 month since implementation of the express toll lanes; and

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

6 (3) (a) \$708,000 of the Interstate 405 and state route number 167
7 express toll lanes account—state appropriation, \$1,651,000 of the
8 state route number 520 corridor account—state appropriation, \$709,000
9 of the Tacoma Narrows toll bridge account—state appropriation, and
10 \$932,000 of the Alaskan Way viaduct replacement project account—state
11 appropriation are provided solely for the reappropriation of unspent
12 funds on the new tolling back office system from the 2019-2021
13 biennium, and are subject to the conditions, limitations, and review
14 provided in section 701 of this act.

15 (b) The department shall continue to work with the office of
16 financial management, office of the chief information officer, and
17 the transportation committees of the legislature on the project
18 management plan that includes a provision for independent
19 verification and validation of contract deliverables from the
20 successful bidder and a provision for quality assurance that includes
21 reporting independently to the office of the chief information
22 officer on an ongoing basis during system implementation.

23 (c) The office of financial management shall place the amounts
24 provided in this subsection in unallotted status until the department
25 submits a detailed progress report on the progress of the new tolling
26 back office system. The director of the office of financial
27 management or their designee shall consult with the chairs and
28 ranking members of the transportation committees of the legislature
29 prior to making a decision to allot these funds.

30 (4) Out of funding appropriated in this section, the department
31 shall contract with the state auditor's office for a performance
32 audit of the department's project to replace its electronic toll
33 collection system. The audit should include an evaluation of the
34 department's project planning, vendor procurement, contract
35 management and project oversight. The final report is to be issued by
36 December 31, 2022. The state auditor will transmit copies of the
37 report to the jurisdictional committees of the legislature and the
38 department.

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

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

8 (b) The nonvendor costs of administering toll operations,
9 including the costs of staffing the division, consultants, and other
10 personal service contracts required for technical oversight and
11 management assistance, insurance, payments related to credit card
12 processing, transponder purchases and inventory management, facility
13 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

25 (iv) Workload costs related to hearings;

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

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

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

31 (6) During the 2021-2023 fiscal biennium, the department plans to
32 issue a request for proposals as the first stage of a competitive
33 procurement process that will replace the toll equipment and select a
34 new tolling operator for the Tacoma Narrows Bridge. The request for
35 proposals and subsequent competitive procurement must incorporate
36 elements that prioritize the overall goal of lowering costs per
37 transaction for the facility, such as incentives for innovative
38 approaches which result in lower transactional costs, requests for
39 efficiencies on the part of the bidder that lower operational costs,
40 and incorporation of technologies such as self-serve credit card

1 machines or other point-of-payment technologies that lower costs or
2 improve operational efficiencies.

3 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
4 account—state appropriation is provided solely for the new state
5 route number 99 tunnel toll facility's expected share of collecting
6 toll revenues, operating customer services, and maintaining toll
7 collection systems. The legislature expects to see appropriate
8 reductions to the other toll facility accounts once tolling on the
9 new state route number 99 tunnel toll facility stabilizes and any
10 previously incurred costs for start-up of the new facility are
11 charged back to the Alaskan Way viaduct replacement project account.
12 The office of financial management shall closely monitor the
13 application of the cost allocation model and ensure that the new
14 state route number 99 tunnel toll facility is adequately sharing
15 costs and the other toll facility accounts are not being overspent or
16 subsidizing the new state route number 99 tunnel toll facility.

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

23 (9) \$1,516,000 of the state route number 520 corridor account—
24 state appropriation is provided solely for the increased costs of
25 insurance for the state route number 520 floating bridge. The
26 department shall conduct an evaluation of the short and long-term
27 costs and benefits including risk mitigation of self-insurance as
28 compared to the commercial insurance option for the state route
29 number 520 floating bridge, as allowed under the terms of the state
30 route number 520 master bond resolution. By December 15, 2021, the
31 department shall report to the legislature on the results of this
32 evaluation.

33 (10) As part of the department's 2023-2025 biennial budget
34 request, the department shall update the cost allocation
35 recommendations that assign appropriate costs to each of the toll
36 funds for services provided by relevant Washington state department
37 of transportation programs, the Washington state patrol, and the
38 transportation commission. The recommendations shall be based on
39 updated traffic and toll transaction patterns and other relevant
40 factors.

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

6 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **INFORMATION TECHNOLOGY—PROGRAM C**

8	Transportation Partnership Account—State Appropriation . . .	\$1,377,000
9	Motor Vehicle Account—State Appropriation	\$97,026,000
10	Puget Sound Ferry Operations Account—State	
11	Appropriation	\$263,000
12	Multimodal Transportation Account—State	
13	Appropriation	\$6,986,000
14	Transportation 2003 Account (Nickel Account)—State	
15	Appropriation	\$1,393,000
16	TOTAL APPROPRIATION.	\$107,045,000

17 The appropriations in this section are subject to the following
18 conditions and limitations: \$4,273,000 of the multimodal
19 transportation account—state appropriation and \$4,273,000 of the
20 motor vehicle account—state appropriation are provided solely for the
21 department's cost related to the one Washington project, and is
22 subject to the conditions, limitations, and review requirements of
23 section 701 of this act.

24 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—**
26 **OPERATING**

27	Motor Vehicle Account—State Appropriation	\$35,574,000
28	State Route Number 520 Corridor Account—State	
29	Appropriation	\$34,000
30	TOTAL APPROPRIATION.	\$35,608,000

31 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **AVIATION—PROGRAM F**

33	Aeronautics Account—State Appropriation	\$8,055,000
34	Aeronautics Account—Federal Appropriation	\$3,916,000
35	Aeronautics Account—Private/Local Appropriation	\$60,000

1 TOTAL APPROPRIATION. \$12,031,000

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

4 (1) \$2,888,000 of the aeronautics account—state appropriation is
5 provided solely for the airport aid grant program, which provides
6 competitive grants to public use airports for pavement, safety,
7 maintenance, planning, and security.

8 (2) \$257,000 of the aeronautics account—state appropriation is
9 provided solely for supporting the commercial aviation coordinating
10 commission, pursuant to section 718 of this act.

11 (3) \$280,000 of the aeronautics account—state appropriation is
12 provided solely for the implementation of chapter . . . (Substitute
13 House Bill No. 1379), Laws of 2021 (unpiloted aircraft system state
14 coordinator). If chapter . . . (Substitute House Bill No. 1379), Laws
15 of 2021 is not enacted by June 30, 2021, the amount provided in this
16 subsection lapses.

17 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
18 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

19 Motor Vehicle Account—State Appropriation \$59,138,000

20 Motor Vehicle Account—Federal Appropriation \$500,000

21 Multimodal Transportation Account—State Appropriation . . . \$758,000

22 TOTAL APPROPRIATION. \$60,396,000

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

25 (1) The legislature recognizes that the trail known as the Rocky
26 Reach Trail, and its extensions, serve to separate motor vehicle
27 traffic from pedestrians and bicyclists, increasing motor vehicle
28 safety on state route number 2 and the coincident section of state
29 route number 97. Consistent with chapter 47.30 RCW and pursuant to
30 RCW 47.12.080, the legislature declares that transferring portions of
31 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
32 associated buffer areas to the Washington state parks and recreation
33 commission is consistent with the public interest. The legislature
34 directs the department to transfer the property to the Washington
35 state parks and recreation commission.

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

1 (b) Prior to completing the transfer in this subsection (1), the
2 department must ensure that provisions are made to accommodate
3 private and public utilities and any facilities that predate the
4 department's acquisition of the property, at no cost to those
5 entities. Prior to completing the transfer, the department shall also
6 ensure that provisions, by fair market assessment, are made to
7 accommodate other private and public utilities and any facilities
8 that have been legally allowed by permit or other instrument.

9 (c) The department may sell any adjoining property that is not
10 necessary to support the Rocky Reach Trail and adjacent buffer areas
11 only after the transfer of trail-related property to the Washington
12 state parks and recreation commission is complete. Adjoining property
13 owners must be given the first opportunity to acquire such property
14 that abuts their property, and applicable boundary line or other
15 adjustments must be made to the legal descriptions for recording
16 purposes.

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

25 (3) \$1,600,000 of the motor vehicle account—state appropriation
26 is provided solely for real estate services activities. Consistent
27 with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when
28 initiating, extending, or renewing any rent or lease agreements with
29 a regional transit authority, consideration of value must be
30 equivalent to one hundred percent of economic or market rent.

31 (4) The department shall report to the transportation committees
32 of the legislature by December 1, 2021, on the status of its efforts
33 to consolidate franchises for broadband facilities across the state,
34 including plans for increasing the number of consolidated franchises
35 in the future.

36 (5) During the 2021-2023 biennium, if the department takes
37 possession of the property situated in the city of Edmonds for which
38 a purchase agreement was executed between Unocal and the department
39 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
40 confirms that the property is still no longer needed for

1 transportation purposes, the department shall provide the city of
2 Edmonds with the right of first purchase at fair market value in
3 accordance with RCW 47.12.063(3) for the city's intended use of the
4 property to rehabilitate near-shore habitat for salmon and related
5 species.

6 (6) \$300,000 of the motor vehicle account—state appropriation is
7 provided solely for the implementation of chapter . . . (Substitute
8 House Bill No. 1355), Laws of 2021 (noxious weeds). If chapter . . .
9 (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds) is not
10 enacted by June 30, 2021, the amount provided in this subsection
11 lapses.

12 (7) \$500,000 of the multimodal transportation account—state
13 appropriation is provided solely for the implementation of
14 chapter . . . (Engrossed Second Substitute Senate Bill No. 5141),
15 Laws of 2021 (environmental justice task force). If chapter . . .
16 (Engrossed Second Substitute Senate Bill No. 5141), Laws of 2021
17 (environmental justice task force) is not enacted by June 30, 2021,
18 the amount provided in this subsection lapses.

19 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

21	Motor Vehicle Account—State Appropriation	\$675,000
22	Electric Vehicle Account—State Appropriation.	\$9,900,000
23	Multimodal Transportation Account—State Appropriation. . .	\$3,290,000
24	TOTAL APPROPRIATION.	\$13,865,000

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

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

30 (2) \$8,900,000 of the electric vehicle account—state
31 appropriation is provided solely for the clean alternative fuel
32 vehicle charging and refueling infrastructure program in chapter 287,
33 Laws of 2019 (advancing green transportation adoption).

34 (3) \$2,400,000 of the multimodal transportation account—state
35 appropriation is provided solely for the pilot program established
36 under chapter 287, Laws of 2019 (advancing green transportation
37 adoption) to provide clean alternative fuel vehicle use opportunities
38 to underserved communities and low to moderate income members of the

1 workforce not readily served by transit or located in transportation
2 corridors with emissions that exceed federal or state emissions
3 standards. Consistent with the geographical diversity element
4 described in RCW 47.04.355(4), the legislature strongly encourages
5 the department to consider implementing the pilot in both urban and
6 rural communities if possible, to obtain valuable information on the
7 needs of underserved communities located in different geographical
8 locations in Washington.

9 (4) \$1,000,000 of the electric vehicle account—state
10 appropriation and \$500,000 of the multimodal transportation account—
11 state appropriation are provided solely for a colocated DC fast
12 charging and hydrogen fueling station near the Wenatchee or East
13 Wenatchee area near a state route or near or on a publicly owned
14 facility to service passenger, light-duty and heavy-duty vehicles.
15 The hydrogen fueling station must include a DC fast charging station
16 colocated at the hydrogen fueling station site. Funds may be used for
17 one or more fuel cell electric vehicles that would utilize the
18 fueling stations. The department must contract with a public utility
19 district that produces hydrogen in the area to own and/or manage and
20 provide technical assistance for the design, planning, permitting,
21 construction, maintenance and operation of the hydrogen fueling
22 station. The department and public utility district are encouraged to
23 collaborate with and seek contributions from additional public and
24 private partners for the fueling station.

25 (5) \$140,000 of the multimodal transportation account—state
26 appropriation is provided solely for the purpose of conducting an
27 assessment of options for the development, including potential
28 features and costs, for a publicly available mapping and forecasting
29 tool that provides locations and essential information of charging
30 and refueling infrastructure to support forecasted levels of electric
31 vehicle adoption, travel, and usage across Washington state as
32 described in chapter . . . (Engrossed Second Substitute House Bill
33 No. 1287), Laws of 2021 (preparedness for a zero emissions
34 transportation future).

35 (6) \$250,000 of the multimodal transportation account—state
36 appropriation is provided solely to fund the design of an electric
37 charging mega-site project at Mount Vernon library commons.

1 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **HIGHWAY MAINTENANCE—PROGRAM M**

3	Motor Vehicle Account—State Appropriation	\$496,925,000
4	Motor Vehicle Account—Federal Appropriation	\$7,000,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation	\$4,082,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation	\$1,479,000
9	Alaskan Way Viaduct Replacement Project	
10	Account—State Appropriation	\$8,157,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$2,545,000
13	TOTAL APPROPRIATION.	\$520,188,000

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

16 (1) \$7,529,000 of the motor vehicle account—state appropriation
17 is provided solely for utility fees assessed by local governments as
18 authorized under RCW 90.03.525 for the mitigation of stormwater
19 runoff from state highways. Plan and reporting requirements as
20 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
21 shall be consistent with the January 2012 findings of the Joint
22 Transportation Committee Report for Effective Cost Recovery Structure
23 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

24 (2) \$5,000,000 of the motor vehicle account—state appropriation
25 is provided solely for a contingency pool for snow and ice removal.
26 The department must notify the office of financial management and the
27 transportation committees of the legislature when they have spent the
28 base budget for snow and ice removal and will begin using the
29 contingency pool funding.

30 (3) \$1,025,000 of the motor vehicle account—state appropriation
31 is provided solely for the department to implement safety
32 improvements and debris clean up on department-owned rights-of-way in
33 the city of Seattle at levels above that being implemented as of
34 January 1, 2019, to be administered in conjunction with subsection
35 (9) of this section. The department must maintain a crew dedicated
36 solely to collecting and disposing of garbage, clearing debris or
37 hazardous material, and implementing safety improvements where
38 hazards exist to the traveling public, department employees, or
39 people encamped upon department-owned rights-of-way. The department

1 may request assistance from the Washington state patrol as necessary
2 in order for both agencies to provide enhanced safety-related
3 activities regarding the emergency hazards along state highway
4 rights-of-way in the Seattle area.

5 (4) \$1,015,000 of the motor vehicle account—state appropriation
6 is provided solely for a partnership program between the department
7 and the city of Tacoma, to be administered in conjunction with
8 subsection (9) of this section. The program shall address the safety
9 and public health problems created by homeless encampments on the
10 department's property along state highways within the city limits.
11 \$570,000 is for dedicated department maintenance staff and associated
12 clean-up costs. The department and the city of Tacoma shall enter
13 into a reimbursable agreement to cover up to \$445,000 of the city's
14 expenses for clean-up crews and landfill costs.

15 (5) The department must continue a pilot program for the
16 2021-2023 fiscal biennium at the four highest demand safety rest
17 areas to create and maintain an online calendar for volunteer groups
18 to check availability of weekends for the free coffee program. The
19 calendar must be updated at least weekly and show dates and times
20 that are, or are not, available to participate in the free coffee
21 program. The department must submit a report to the legislature on
22 the ongoing pilot by December 1, 2022, outlining the costs and
23 benefits of the online calendar pilot, and including surveys from the
24 volunteer groups and agency staff to determine its effectiveness.

25 (6) \$686,000 of the motor vehicle account—state appropriation is
26 provided solely for reimbursing the Oregon department of
27 transportation (ODOT) for the department's share of increased
28 maintenance costs of six highway bridges over the Columbia River that
29 are maintained by ODOT.

30 (7) \$8,290,000 of the motor vehicle account—state appropriation
31 is provided solely for increased costs of highway maintenance
32 materials.

33 (8) \$5,816,000 of the motor vehicle account—state appropriation
34 is provided solely for a contingency pool for repairing damages to
35 highways caused by known and unknown third parties. The department
36 must notify the office of financial management and the transportation
37 committees of the legislature when they have spent the base budget
38 for third-party damage repair and will begin using the contingency
39 pool funding.

1 (9) (a) \$3,000,000 of the motor vehicle account—state
2 appropriation is provided solely for the department to address the
3 risks to safety and public health associated with homeless
4 encampments on department owned rights-of-way. The department must
5 coordinate and work with local government officials and social
6 service organizations who provide services and direct people to
7 housing alternatives that are not in highway rights-of-way to help
8 prevent future encampments from forming on highway rights-of-way, and
9 may reimburse the organizations doing this outreach assistance who
10 transition people into treatment or housing that is not on the
11 rights-of-way or for debris clean up on highway rights-of-way. The
12 department may hire crews specializing in collecting and disposing of
13 garbage, clearing debris or hazardous material, and implementing
14 safety improvements where hazards exist to the traveling public and
15 department employees. The department may use these funds to either
16 reimburse local law enforcement costs or the Washington state patrol
17 if they are participating as part of a state or local government
18 agreement to provide enhanced safety related activities along state
19 highway rights-of-way.

20 (b) Beginning October 1, 2021, and semiannually thereafter, the
21 Washington state patrol and the department of transportation must
22 jointly submit a report to the governor and the house and senate
23 transportation committees of the legislature on the status of these
24 efforts, including:

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

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

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

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

1 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

3	Motor Vehicle Account—State Appropriation	\$74,406,000
4	Motor Vehicle Account—Federal Appropriation	\$2,050,000
5	Motor Vehicle Account—Private/Local Appropriation	\$250,000
6	State Route Number 520 Corridor Account—State	
7	Appropriation.	\$225,000
8	Tacoma Narrows Toll Bridge Account—State	
9	Appropriation	\$40,000
10	Alaskan Way Viaduct Replacement Project Account—	
11	State Appropriation.	\$1,112,000
12	Interstate 405 and State Route Number 167 Express	
13	Toll Lanes Account—State Appropriation	\$20,000
14	TOTAL APPROPRIATION.	\$78,103,000

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

17 (1) \$6,000,000 of the motor vehicle account—state appropriation
18 is provided solely for low-cost enhancements. The department shall
19 give priority to low-cost enhancement projects that improve safety or
20 provide congestion relief. By December 15th of each odd-numbered
21 year, the department shall provide a report to the legislature
22 listing all low-cost enhancement projects completed in the prior
23 fiscal biennium.

24 (2)(a) During the 2021-2023 fiscal biennium, the department shall
25 continue a pilot program that expands private transportation
26 providers' access to high occupancy vehicle lanes. Under the pilot
27 program, when the department reserves a portion of a highway based on
28 the number of passengers in a vehicle, the following vehicles must be
29 authorized to use the reserved portion of the highway if the vehicle
30 has the capacity to carry eight or more passengers, regardless of the
31 number of passengers in the vehicle: (i) Auto transportation company
32 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
33 carrier vehicles regulated under chapter 81.70 RCW, except marked or
34 unmarked stretch limousines and stretch sport utility vehicles as
35 defined under department of licensing rules; (iii) private nonprofit
36 transportation provider vehicles regulated under chapter 81.66 RCW;
37 and (iv) private employer transportation service vehicles. For
38 purposes of this subsection, "private employer transportation
39 service" means regularly scheduled, fixed-route transportation

1 service that is offered by an employer for the benefit of its
2 employees. Nothing in this subsection is intended to authorize the
3 conversion of public infrastructure to private, for-profit purposes
4 or to otherwise create an entitlement or other claim by private users
5 to public infrastructure.

6 (b) The department shall expand the high occupancy vehicle lane
7 access pilot program to vehicles that deliver or collect blood,
8 tissue, or blood components for a blood-collecting or distributing
9 establishment regulated under chapter 70.335 RCW. Under the pilot
10 program, when the department reserves a portion of a highway based on
11 the number of passengers in a vehicle, blood-collecting or
12 distributing establishment vehicles that are clearly and identifiably
13 marked as such on all sides of the vehicle are considered emergency
14 vehicles and must be authorized to use the reserved portion of the
15 highway.

16 (c) The department shall expand the high occupancy vehicle lane
17 access pilot program to organ transport vehicles transporting a time
18 urgent organ for an organ procurement organization as defined in RCW
19 68.64.010. Under the pilot program, when the department reserves a
20 portion of a highway based on the number of passengers in a vehicle,
21 organ transport vehicles that are clearly and identifiably marked as
22 such on all sides of the vehicle are considered emergency vehicles
23 and must be authorized to use the reserved portion of the highway.

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

34 (e) The department shall expand the high occupancy vehicle lane
35 access pilot program to for hire nonemergency medical transportation
36 vehicles, when in use for medical purposes, as described in section
37 208 of this act. Under the pilot program, when the department
38 reserves a portion of a highway based on the number of passengers in
39 a vehicle, nonemergency medical transportation vehicles that meet the

1 requirements identified in section 208 of this act must be authorized
2 to use the reserved portion of the highway.

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

6 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

8	Motor Vehicle Account—State Appropriation	\$37,361,000
9	Motor Vehicle Account—Federal Appropriation	\$780,000
10	Motor Vehicle Account—Private/Local Appropriation	\$500,000
11	Multimodal Transportation Account—State	
12	Appropriation	\$5,129,000
13	State Route Number 520 Corridor Account—State	
14	Appropriation.	\$186,000
15	Tacoma Narrows Toll Bridge Account—State	
16	Appropriation.	\$150,000
17	Alaskan Way Viaduct Replacement Project Account—	
18	State Appropriation.	\$121,000
19	Interstate 405 and State Route Number 167 Express	
20	Toll Lanes Account—State Appropriation.	\$77,000
21	TOTAL APPROPRIATION.	\$44,304,000

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$4,000,000 of the multimodal
24 transportation account—state appropriation is provided solely for
25 efforts to increase diversity in the transportation construction
26 workforce through: (1) The preapprenticeship support services (PASS)
27 program, which aims to increase diversity in the highway construction
28 workforce and prepare individuals interested in entering the highway
29 construction workforce. In addition to the services allowed by RCW
30 47.01.435, the PASS program may provide housing assistance for youth
31 aging out of the foster care and juvenile rehabilitation systems in
32 order to support the participation of these youth in a
33 transportation-related preapprenticeship program; (2) assisting
34 minority and women-owned businesses to perform work in the highway
35 construction industry. This assistance shall include technical
36 assistance, business training, counseling, guidance, prime to
37 subcontractor relationship building, and a capacity building
38 mentorship program. At a minimum, \$1,000,000 of the total

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

7 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

9	Motor Vehicle Account—State Appropriation	\$27,057,000
10	Motor Vehicle Account—Federal Appropriation	\$34,865,000
11	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
12	Multimodal Transportation Account—State Appropriation	\$919,000
13	Multimodal Transportation Account—Federal	
14	Appropriation	\$2,809,000
15	Multimodal Transportation Account—Private/Local	
16	Appropriation	\$100,000
17	State Route Number 520 Corridor Account—State	
18	Appropriation.	\$406,000
19	Interstate 405 and State Route Number 167 Express Toll Lanes	
20	Account—State Appropriation.	\$2,879,000
21	TOTAL APPROPRIATION.	\$69,435,000

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

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

35 (2) \$2,879,000 of the Interstate 405 and state route number 167
36 express toll lanes account—state appropriation is provided solely for
37 completion of updating the state route number 167 master plan.

1 (3) \$250,000 of the multimodal transportation account—state
2 appropriation is provided solely for the department to partner with
3 the department of commerce in developing vehicle miles traveled
4 targets for the counties in Washington state with (a) a population
5 density of at least 100 people per square mile and a population of at
6 least 200,000; or (b) a population density of at least 75 people per
7 square mile and an annual growth rate of at least 1.75 percent as
8 determined by the office of financial management. Given land use
9 patterns are key factors in travel demand and should be taken into
10 consideration when developing the targets, the department and the
11 department of commerce shall partner with local jurisdictions,
12 regional transportation planning organizations and other stakeholders
13 to inventory existing laws and rules that promote transportation and
14 land use, identify gaps and make recommendations for changes in laws,
15 rules and agency guidance, and establish a framework for considering
16 underserved and rural communities in the evaluation. The department
17 and the department of commerce shall provide an initial technical
18 report by December 31, 2021, an interim report by June 22, 2022, and
19 a final report to the governor and appropriate committees of the
20 legislature by June 30, 2023, that includes a process for
21 establishing vehicle miles traveled reduction targets, a recommended
22 suite of options for local jurisdictions to achieve the targets, and
23 funding requirements for state and local jurisdictions.

24 (4) \$406,000 of the state route number 520 corridor account—state
25 appropriation is provided solely for the department to contract with
26 the University of Washington department of mechanical engineering, to
27 study measures to reduce noise impacts from the state route number
28 520 bridge expansion joints. The field testing shall be scheduled
29 during existing construction, maintenance, or other scheduled
30 closures to minimize impacts. The testing must also ensure safety of
31 the traveling public. The study shall examine testing methodologies
32 and project timelines and costs. A final report must be submitted to
33 the transportation committees of the legislature and the governor by
34 March 1, 2022.

35 (5) \$5,900,000 of the motor vehicle account—federal appropriation
36 and \$400,000 of the motor vehicle account—private/local appropriation
37 are provided solely for delivery of the department's state planning
38 and research work program and pooled fund research projects, provided
39 that the department may not expend any amounts provided in this

1 section on a long-range plan or corridor scenario analysis for I-5
2 from Tumwater to Marysville. This is not intended to reference or
3 impact: The existing I-5 corridor from Mounts road to Tumwater design
4 and operations alternatives analysis; design studies related to HOV
5 lanes or operations; or where it is necessary to continue design and
6 operations analysis related to projects already under development.

7 (6) \$800,000 of the motor vehicle account—state appropriation is
8 provided solely for WSDOT to do a corridor study of SR 302 (Victor
9 Area) to recommend safety and infrastructure improvements to address
10 current damage and prevent future roadway collapse and landslides
11 that have caused road closures.

12 (7) \$1,000,000 of the motor vehicle account—state appropriation
13 is provided solely for a study on the need for additional
14 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
15 South Pierce County.

16 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

18	Aeronautics Account—State Appropriation.	\$1,000
19	Transportation Partnership Account—State Appropriation.	\$23,000
20	Motor Vehicle Account—State Appropriation	\$99,515,000
21	Puget Sound Ferry Operations Account—State Appropriation.	\$220,000
22	State Route Number 520 Corridor Account—State Appropriation.	\$26,000
23	Connecting Washington Account—State Appropriation.	\$184,000
24	Multimodal Transportation Account—State	
25	Appropriation	\$4,795,000
26	Tacoma Narrows Toll Bridge Account—State Appropriation.	\$19,000
27	Alaskan Way Viaduct Replacement Project Account—State	
28	Appropriation.	\$14,000
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	\$15,000
31	TOTAL APPROPRIATION.	\$104,812,000

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

34 (1) Consistent with existing protocol and practices, for any
35 negotiated settlement of a claim against the state for the department
36 that exceeds five million dollars, the department, in conjunction
37 with the attorney general and the department of enterprise services,

1 shall notify the director of the office of financial management and
2 the transportation committees of the legislature.

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

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

23 (4) When the department identifies significant legal issues that
24 have potential transportation budget implications, the department
25 must initiate a briefing for appropriate legislative members or staff
26 through the office of the attorney general and its legislative
27 briefing protocol.

28 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **PUBLIC TRANSPORTATION—PROGRAM V**

30	State Vehicle Parking Account—State Appropriation	\$784,000
31	Regional Mobility Grant Program Account—State	
32	Appropriation	\$104,478,000
33	Rural Mobility Grant Program Account—State	
34	Appropriation	\$33,168,000
35	Multimodal Transportation Account—State	
36	Appropriation	\$131,150,000
37	Multimodal Transportation Account—Federal	
38	Appropriation	\$3,574,000

1	Multimodal Transportation Account—Local	
2	Appropriation	\$100,000
3	TOTAL APPROPRIATION.	\$273,254,000

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

6 (1) \$67,821,000 of the multimodal transportation account—state
7 appropriation is provided solely for a grant program for special
8 needs transportation provided by transit agencies and nonprofit
9 providers of transportation. Of this amount:

10 (a) \$15,568,000 of the multimodal transportation account—state
11 appropriation is provided solely for grants to nonprofit providers of
12 special needs transportation. Grants for nonprofit providers must be
13 based on need, including the availability of other providers of
14 service in the area, efforts to coordinate trips among providers and
15 riders, and the cost effectiveness of trips provided. Fuel type may
16 not be a factor in the grant selection process.

17 (b) \$52,253,000 of the multimodal transportation account—state
18 appropriation is provided solely for grants to transit agencies to
19 transport persons with special transportation needs. To receive a
20 grant, the transit agency must, to the greatest extent practicable,
21 have a maintenance of effort for special needs transportation that is
22 no less than the previous year's maintenance of effort for special
23 needs transportation. Grants for transit agencies must be prorated
24 based on the amount expended for demand response service and route
25 deviated service in calendar year 2019 as reported in the "Summary of
26 Public Transportation - 2019" published by the department of
27 transportation. No transit agency may receive more than thirty
28 percent of these distributions. Fuel type may not be a factor in the
29 grant selection process.

30 (2) \$33,168,000 of the rural mobility grant program account—state
31 appropriation is provided solely for grants to aid small cities in
32 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
33 factor in the grant selection process.

34 (3) \$2,000,000 of the multimodal transportation account—state
35 appropriation is provided solely for a vanpool grant program for: (a)
36 Public transit agencies to add vanpools or replace vans; and (b)
37 incentives for employers to increase employee vanpool use. The grant
38 program for public transit agencies may cover capital costs only;
39 operating costs for public transit agencies are not eligible for

1 funding under this grant program. Additional employees may not be
2 hired from the funds provided in this section for the vanpool grant
3 program, and supplanting of transit funds currently funding vanpools
4 is not allowed. The department shall encourage grant applicants and
5 recipients to leverage funds other than state funds. Fuel type may
6 not be a factor in the grant selection process.

7 (4) \$26,800,000 of the regional mobility grant program account—
8 state appropriation is reappropriated and provided solely for the
9 regional mobility grant projects identified in LEAP Transportation
10 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -
11 Public Transportation Program (V).

12 (5) (a) \$77,679,000 of the regional mobility grant program account
13 —state appropriation is provided solely for the regional mobility
14 grant projects identified in LEAP Transportation Document 2021-2 ALL
15 PROJECTS as developed April 23, 2021, Program - Public Transportation
16 Program (V). The department shall review all projects receiving grant
17 awards under this program at least semiannually to determine whether
18 the projects are making satisfactory progress. Any project that has
19 been awarded funds, but does not report activity on the project
20 within one year of the grant award, must be reviewed by the
21 department to determine whether the grant should be terminated. The
22 department shall promptly close out grants when projects have been
23 completed, and any remaining funds must be used only to fund projects
24 identified in the LEAP transportation document referenced in this
25 subsection. The department shall provide annual status reports on
26 December 15, 2021, and December 15, 2022, to the office of financial
27 management and the transportation committees of the legislature
28 regarding the projects receiving the grants. It is the intent of the
29 legislature to appropriate funds through the regional mobility grant
30 program only for projects that will be completed on schedule. A
31 grantee may not receive more than twenty-five percent of the amount
32 appropriated in this subsection. Additionally, when allocating
33 funding for the 2023-2025 biennium, no more than thirty percent of
34 the total grant program may directly benefit or support one grantee.
35 The department shall not approve any increases or changes to the
36 scope of a project for the purpose of a grantee expending remaining
37 funds on an awarded grant. Fuel type may not be a factor in the grant
38 selection process.

39 (b) In order to be eligible to receive a grant under (a) of this
40 subsection during the 2021-2023 fiscal biennium, a transit agency

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

13 (6) Funds provided for the commute trip reduction (CTR) program
14 may also be used for the growth and transportation efficiency center
15 program.

16 (7) \$6,500,000 of the multimodal transportation account—state
17 appropriation and \$784,000 of the state vehicle parking account—state
18 appropriation are provided solely for CTR grants and activities. Fuel
19 type may not be a factor in the grant selection process. Of this
20 amount:

21 (a) \$30,000 of the state vehicle parking account—state
22 appropriation is provided solely for the STAR pass program for state
23 employees residing in Mason and Grays Harbor Counties. Use of the
24 pass is for public transportation between Mason County and Thurston
25 County, and Grays Harbor and Thurston County. The pass may also be
26 used within Grays Harbor County. The STAR pass commute trip reduction
27 program is open to any state employee who expresses intent to commute
28 to his or her assigned state worksite using a public transit system
29 currently participating in the STAR pass program.

30 (b) \$800,000 of the multimodal transportation account—state
31 appropriation is provided solely for continuation of the first mile/
32 last mile connections grant program. Eligible grant recipients
33 include cities, businesses, nonprofits, and transportation network
34 companies with first mile/last mile solution proposals. Transit
35 agencies are not eligible. The commute trip reduction board shall
36 develop grant parameters, evaluation criteria, and evaluate grant
37 proposals. The commute trip reduction board shall provide the
38 transportation committees of the legislature a report on the

1 effectiveness of this grant program and best practices for continuing
2 the program.

3 (8) Except as provided otherwise in this subsection, \$28,263,000
4 of the multimodal transportation account—state appropriation is
5 provided solely for connecting Washington transit projects identified
6 in LEAP Transportation Document 2021-2 ALL PROJECTS as developed
7 April 23, 2021. It is the intent of the legislature that entities
8 identified to receive funding in the LEAP document referenced in this
9 subsection receive the amounts specified in the time frame specified
10 in that LEAP document. If an entity has already completed a project
11 in the LEAP document referenced in this subsection before the time
12 frame identified, the entity may substitute another transit project
13 or projects that cost a similar or lesser amount.

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

16 (10) \$21,858,000 of the multimodal transportation account—state
17 appropriation is provided solely for the green transportation capital
18 grant program established in chapter 287, Laws of 2019 (advancing
19 green transportation adoption).

20 (11) \$555,000 of the multimodal transportation account—state
21 appropriation is provided solely for an interagency transfer to the
22 Washington State University extension energy program to establish and
23 administer a technical assistance and education program for public
24 agencies on the use of alternative fuel vehicles. The Washington
25 State University extension energy program shall prepare a report
26 regarding the utilization of the program and provide this report to
27 the transportation committees of the legislature by November 15,
28 2021.

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

33 (13) \$150,000 of the multimodal transportation account—state
34 appropriation is provided solely for Intercity Transit for the Dash
35 shuttle program.

36 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **MARINE—PROGRAM X**

38 Puget Sound Ferry Operations Account—State

1	Appropriation	\$416,614,000
2	Puget Sound Ferry Operations Account—Federal	
3	Appropriation	\$124,000,000
4	Puget Sound Ferry Operations Account—Private/Local	
5	Appropriation	\$121,000
6	TOTAL APPROPRIATION.	\$540,735,000

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

9 (1) The office of financial management budget instructions
10 require agencies to recast enacted budgets into activities. The
11 Washington state ferries shall include a greater level of detail in
12 its 2021-2023 supplemental and 2023-2025 omnibus transportation
13 appropriations act requests, as determined jointly by the office of
14 financial management, the Washington state ferries, and the
15 transportation committees of the legislature. This level of detail
16 must include the administrative functions in the operating as well as
17 capital programs. The data in the tables in the report must be
18 supplied in a digital file format.

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

23 (3) \$17,000,000 of the Puget Sound ferry operations account—
24 federal appropriation and \$53,794,000 of the Puget Sound ferry
25 operations account—state appropriation are provided solely for auto
26 ferry vessel operating fuel in the 2021-2023 fiscal biennium, which
27 reflect cost savings from a reduced biodiesel fuel requirement and,
28 therefore, is contingent upon the enactment of section 703 of this
29 act. The amount provided in this subsection represents the fuel
30 budget for the purposes of calculating any ferry fare fuel surcharge.
31 The department shall review future use of alternative fuels and dual
32 fuel configurations, including hydrogen.

33 (4) \$500,000 of the Puget Sound ferry operations account—state
34 appropriation is provided solely for operating costs related to
35 moving vessels for emergency capital repairs. Funds may only be spent
36 after approval by the office of financial management.

37 (5) \$2,400,000 of the Puget Sound ferry operations account—state
38 appropriation is provided solely for staffing and overtime expenses
39 incurred by engine and deck crewmembers. The department must provide

1 updated staffing cost estimates for fiscal years 2022 and 2023 with
2 its annual budget submittal and updated estimates by January 1, 2022.

3 (6) \$688,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for new employee training. The
5 department must work to increase its outreach and recruitment of
6 populations underrepresented in maritime careers and continue working
7 to expand apprenticeship and internship programs, with an emphasis on
8 programs that are shown to improve recruitment for positions with the
9 state ferry system.

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

13 (8) \$1,978,000 of the Puget Sound ferry operations account—state
14 appropriation is provided solely for restoration of service to
15 reflect increased ridership, availability of crewing and available
16 revenues. Expenditures may be made to resume service to Sidney,
17 British Columbia, including any service to the San Juans; to provide
18 Saturday service on the Fauntleroy-Vashon-Southworth route; and to
19 resume late night service on other routes in the system.

20 (9) Within amounts provided in this section, the department shall
21 contract with uniformed officers for additional traffic control
22 assistance at the Kingston ferry terminal during peak ferry travel
23 times, with a particular focus on Sundays and holiday weekends.
24 Traffic control methods should include, but not be limited to,
25 holding traffic on the shoulder at Lindvog Road until space opens for
26 cars at the tollbooths and dock, and management of traffic on Highway
27 104 in order to ensure Kingston residents and business owners have
28 access to businesses, roads, and driveways.

29 (10) \$336,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for evacuation slide training.

31 (11) \$336,000 of the Puget Sound ferry operations account—state
32 appropriation is provided solely for fall restraint labor and
33 industries inspections.

34 (12) \$735,000 of the Puget Sound ferry operations account—state
35 appropriation is provided solely for familiarization for new
36 assignments of engine crew and terminal staff.

37 (13) \$160,000 of the Puget Sound ferry operations account—state
38 appropriation is provided solely for electronic navigation training.

1 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **RAIL—PROGRAM Y—OPERATING**

3 Multimodal Transportation Account—State

4 Appropriation \$80,704,000

5 Multimodal Transportation Account—Private/Local

6 Appropriation \$46,000

7 Multimodal Transportation Account—Federal

8 Appropriation \$500,000

9 TOTAL APPROPRIATION. \$81,250,000

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

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

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

1 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

3 Motor Vehicle Account—State Appropriation \$11,954,000
4 Motor Vehicle Account—Federal Appropriation \$2,567,000
5 Multiuse Roadway Safety Account—State Appropriation \$900,000
6 TOTAL APPROPRIATION. \$15,421,000

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

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

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

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

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

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

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

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

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

37 (3) (a) By October 1, 2021, the department must report to the
38 office of financial management and the transportation committees with
39 recommendations regarding:

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

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

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

13 **TRANSPORTATION AGENCIES—CAPITAL**

14 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
15 **INVESTMENT BOARD**

16 Freight Mobility Investment Account—State
17 Appropriation \$16,577,000
18 Freight Mobility Multimodal Account—State
19 Appropriation. \$15,195,000
20 TOTAL APPROPRIATION. \$31,772,000

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

23 (1) Except as otherwise provided in this section, the entire
24 appropriations in this section are provided solely for the projects
25 by amount, as listed in the LEAP Transportation Document 2021-2 ALL
26 PROJECTS as developed April 23, 2021, Freight Mobility Strategic
27 Investment Board (FMSIB).

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

30 (3) It is the intent of the legislature to continue to make
31 strategic investments in a statewide freight mobility transportation
32 system with the help of the freight mobility strategic investment
33 board, including projects that mitigate the impact of freight
34 movement on local communities. To that end, and in coordination with
35 WSDOT as it updates its federally-compliant freight plan, the board
36 is directed to identify the highest priority freight investments for
37 the state, across freight modes, state and local jurisdictions, and

1 regions of the state. By December 1, 2021, the board must submit a
2 preliminary report providing a status update on the process and
3 methodology for identifying and prioritizing investments. By December
4 1, 2022, the board must submit a prioritized list of freight
5 investments that are geographically balanced across the state and can
6 proceed to construction in a timely manner. The prioritized freight
7 project list for the state portion of national highway freight
8 program funds must first address shortfalls in funding for connecting
9 Washington act projects.

10 (4) (a) For the 2021-2023 project appropriations, unless otherwise
11 provided in this act, the director of the office of financial
12 management may authorize a transfer of appropriation authority
13 between projects managed by the freight mobility strategic investment
14 board in order for the board to manage project spending and support
15 the efficient and timely delivery of all projects in the program. The
16 office of financial management may authorize a transfer of
17 appropriation authority between projects under the following
18 conditions and limitations:

19 (i) Transfers from a project may not be made as a result of the
20 reduction of the scope of a project or be made to support increases
21 in the scope of a project;

22 (ii) Each transfer between projects may only occur if the
23 director of the office of financial management finds that any
24 resulting change will not hinder the completion of the projects on
25 the LEAP Transportation Document 2021-2 ALL PROJECT list;

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

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

35 (b) At the time the board submits a request to transfer funds
36 under this section, a copy of the request must be submitted to the
37 chairs and ranking members of the transportation committees of the
38 legislature.

39 (c) Before approval, the office of financial management shall
40 work with legislative staff of the house of representatives and

1 senate transportation committees to review the requested transfers in
2 a timely manner and consider any concerns raised by the chairs and
3 ranking members of the transportation committees.

4 (d) No fewer than 10 days after the receipt of a project transfer
5 request, the director of the office of financial management must
6 provide written notification to the board of any decision regarding
7 project transfers, with copies submitted to the transportation
8 committees of the legislature.

9 NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL**

10 State Patrol Highway Account—State Appropriation \$4,196,000

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

13 (1) \$695,000 of the state patrol highway account—state
14 appropriation is provided solely for roof replacement.

15 (2) \$3,501,000 of the state patrol highway account—state
16 appropriation is provided solely for the following projects:

- 17 (a) \$250,000 for emergency repairs;
- 18 (b) \$350,000 for fuel tank decommissioning;
- 19 (c) \$750,000 for generator and electrical replacement;
- 20 (d) \$195,000 for the exterior envelope of the Yakima office;
- 21 (e) \$466,000 for equipment shelters;
- 22 (f) \$650,000 for the weatherization projects;
- 23 (g) \$200,000 for roof replacements reappropriation; and
- 24 (h) \$640,000 for water and fire suppression systems
25 reappropriation.

26 (3) The Washington state patrol may transfer funds between
27 projects specified in this subsection to address cash flow
28 requirements. If a project specified in this subsection is completed
29 for less than the amount provided, the remainder may be transferred
30 to another project specified in this subsection not to exceed the
31 total appropriation provided in this subsection.

32 NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

33 Rural Arterial Trust Account—State Appropriation \$55,028,000

34 Motor Vehicle Account—State Appropriation \$1,456,000

35 County Arterial Preservation Account—State
36 Appropriation \$37,379,000

37 TOTAL APPROPRIATION. \$93,863,000

1 NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

2 Small City Pavement and Sidewalk Account—State

3 Appropriation \$4,100,000

4 Transportation Improvement Account—State

5 Appropriation \$201,000,000

6 Complete Streets Grant Program Account—State

7 Appropriation \$14,670,000

8 TOTAL APPROPRIATION. \$219,770,000

9 The appropriations in this section are subject to the following
10 conditions and limitations: \$2,500,000 of the transportation
11 improvement account—state appropriation is provided solely for the
12 Relight Washington Program. The transportation improvement board
13 shall conduct a comparative analysis of expanding the Relight
14 Washington Program to all cities that are not currently eligible
15 compared to utilizing the same funding amount for other preservation
16 programs administered by the transportation improvement board. If
17 needed to perform this analysis, the transportation improvement board
18 shall gather additional information on the demand and return on
19 investment from a follow up survey to cities currently ineligible for
20 the Relight Washington Program. The transportation improvement board
21 shall report the results of the analysis to the governor and the
22 transportation committees of the legislature by January 1, 2022.

23 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
24 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
25 **CAPITAL**

26 Motor Vehicle Account—State Appropriation \$10,852,000

27 Connecting Washington Account—State Appropriation \$3,289,000

28 TOTAL APPROPRIATION. \$14,141,000

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

31 (1) \$3,289,000 of the connecting Washington account—state
32 appropriation is provided solely for a new Olympic region maintenance
33 and administration facility to be located on the department-owned
34 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
35 Washington.

36 (2) (a) \$4,325,000 of the motor vehicle account—state
37 appropriation is provided solely for payments of a financing contract

1 issued pursuant to chapter 39.94 RCW for the department facility
2 located at 15700 Dayton Ave N in Shoreline.

3 (b) Payments from the department of ecology pursuant to the
4 agreement with the department to pay a share of the financing
5 contract in (a) of this subsection must be deposited into the motor
6 vehicle account.

7 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **IMPROVEMENTS—PROGRAM I**

9	Transportation 2003 Account (Nickel Account)—State	
10	Appropriation	\$149,000
11	Transportation Partnership Account—State	
12	Appropriation	\$119,053,000
13	Motor Vehicle Account—State Appropriation	\$89,717,000
14	Motor Vehicle Account—Federal Appropriation	\$388,903,000
15	Coronavirus State Fiscal Recovery Fund—Federal	
16	Appropriation.	\$400,000,000
17	Motor Vehicle Account—Private/Local Appropriation	\$48,628,000
18	Connecting Washington Account—State	
19	Appropriation	\$2,881,033,000
20	Special Category C Account—State Appropriation	\$105,363,000
21	Multimodal Transportation Account—State	
22	Appropriation	\$10,784,000
23	State Route Number 520 Corridor	
24	Account—State Appropriation.	\$15,940,000
25	Interstate 405 and State Route Number 167 Express	
26	Toll Lanes Account—State Appropriation.	\$30,308,000
27	TOTAL APPROPRIATION.	\$4,089,878,000

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

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

1 (2) Except as provided otherwise in this section, the entire
2 motor vehicle account—state appropriation and motor vehicle account—
3 federal appropriation are provided solely for the projects and
4 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
5 as developed April 23, 2021, Program - Highway Improvements Program
6 (I). Any federal funds gained through efficiencies, adjustments to
7 the federal funds forecast, or the federal funds redistribution
8 process must then be applied to highway and bridge preservation
9 activities or fish passage barrier corrections (0BI4001).

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

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

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

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

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

1 (8) \$193,699,000 of the connecting Washington account—state
2 appropriation is provided solely for the US 395 North Spokane
3 Corridor project (M00800R).

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

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

24 (10) (a) \$492,349,000 of the connecting Washington account—state
25 appropriation and \$355,000 of the motor vehicle account—private/local
26 appropriation are provided solely for the SR 520 Seattle Corridor
27 Improvements - West End project (M00400R).

28 (b) Upon completion of the Montlake Phase of the West End project
29 (current anticipated contract completion of 2023), the department
30 shall sell that portion of the property not used for permanent
31 transportation improvements and initiate a process to convey that
32 surplus property to a subsequent owner.

33 (11) \$382,880,000 of the connecting Washington account—state
34 appropriation, \$4,800,000 of the multimodal transportation account—
35 state appropriation, \$17,869,000 of the motor vehicle account—
36 private/local appropriation, and \$82,165,000 of the motor vehicle
37 account—federal appropriation are provided solely for the SR 167/SR
38 509 Puget Sound Gateway project (M00600R).

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

3 (b) In making budget allocations to the Puget Sound Gateway
4 project, the department shall implement the project's construction as
5 a single corridor investment. The department shall continue to
6 collaborate with the affected stakeholders as it implements the
7 corridor construction and implementation plan for state route number
8 167 and state route number 509. Specific funding allocations must be
9 based on where and when specific project segments are ready for
10 construction to move forward and investments can be best optimized
11 for timely project completion. Emphasis must be placed on avoiding
12 gaps in fund expenditures for either project.

13 (c) It is the legislature's intent that the department shall
14 construct a full single-point urban interchange at the junction of
15 state route number 161 (Meridian avenue) and state route number 167
16 and a full directional interchange at the junction of state route
17 number 509 and 188th Street. If the department receives additional
18 funds from an outside source for this project after the base project
19 is fully funded, the funds must first be applied toward the
20 completion of these two interchanges.

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

27 (e) Of the amounts provided in this subsection, \$2,500,000 of the
28 multimodal transportation account—state appropriation is provided
29 solely for segment 2 of the state route number 167 completion project
30 shared-use path to provide connections to the interchange of state
31 route number 167 at 54th to the intersection of state route number
32 509 and Taylor Way in Tacoma.

33 (12)(a) \$26,928,000 of the motor vehicle account—state
34 appropriation and \$1,671,000 of the motor vehicle account—private/
35 local appropriation are provided solely to support a project office
36 and the continued work toward the I-5 Interstate Bridge Replacement
37 project (L2000370).

38 (b) The project office must also study the possible different
39 governance structures for a bridge authority that would provide for

1 the joint administration of the bridges over the Columbia river
2 between Oregon and Washington. As part of this study, the project
3 office must examine the feasibility and necessity of an interstate
4 compact in conjunction with the national center for interstate
5 compacts.

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

8 (i) Conduct all work necessary to prepare and publish a draft
9 SEIS;

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

12 (iii) Identify a locally preferred alternative; and

13 (iv) Begin preparing a final SEIS.

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

17 (13) (a) \$400,000,000 of the coronavirus state fiscal recovery
18 fund—federal appropriation, \$529,577,000 of the connecting Washington
19 account—state appropriation, \$194,959,000 of the motor vehicle
20 account—federal appropriation, and \$1,849,000 of the motor vehicle
21 account—state appropriation are provided solely for the Fish Passage
22 Barrier Removal project (OBI4001) with the intent of fully complying
23 with the federal *U.S. v. Washington* court injunction by 2030. Of the
24 amounts provided in this subsection, \$400,000,000 of the connecting
25 Washington account—state appropriation must be initially placed in
26 unallotted status during the 2021-2023 fiscal biennium, and may only
27 be released by the office of financial management for allotment by
28 the department if it is determined that the Fish Passage Barrier
29 Removal project (OBI4001) is not an eligible use of amounts received
30 by the state pursuant to the federal American rescue plan act of
31 2021.

32 (b) The department shall coordinate with the Brian Abbott fish
33 passage barrier removal board to use a watershed approach by
34 replacing both state and local culverts guided by the principle of
35 providing the greatest fish habitat gain at the earliest time. The
36 department shall deliver high habitat value fish passage barrier
37 corrections that it has identified, guided by the following factors:
38 Opportunity to bundle projects, tribal priorities, ability to
39 leverage investments by others, presence of other barriers, project

1 readiness, culvert conditions, other transportation projects in the
2 area, and transportation impacts. The department and Brian Abbott
3 fish barrier removal board must provide updates on the implementation
4 of the statewide culvert remediation plan to the legislature by
5 November 1, 2021, and June 1, 2022.

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

9 (d) Of the amount provided in this subsection, \$142,923,000 of
10 the motor vehicle account—federal appropriation reflects the
11 department's portion of the unrestricted funds from the coronavirus
12 response and relief supplemental appropriations act of 2021. If the
13 final amount from this act changes while the legislature is not in
14 session, the department shall follow the existing unanticipated
15 receipt process and adjust the list referenced in subsection (1) of
16 this section accordingly, supplanting state funds with federal funds
17 if possible as directed in section 601 of this act.

18 (14) \$14,669,000 of the connecting Washington account—state
19 appropriation and \$3,037,000 of the motor vehicle account—private/
20 local appropriation are provided solely for the I-90/Barker to
21 Harvard - Improve Interchanges & Local Roads project (L2000122). The
22 connecting Washington account appropriation for the improvements that
23 fall within the city of Liberty Lake may only be expended if the city
24 of Liberty Lake agrees to cover any project costs within the city of
25 Liberty Lake above the \$20,900,000 of state appropriation provided
26 for the total project on the list referenced in subsection (1) of
27 this section.

28 (15) \$15,189,000 of the motor vehicle account—federal
29 appropriation, \$259,000 of the motor vehicle account—state
30 appropriation, and \$15,481,000 of the Interstate 405 and state route
31 number 167 express toll lanes account—state appropriation are
32 provided solely for the SR 167/SR 410 to SR 18 - Congestion
33 Management project (316706C).

34 (16) \$18,914,000 of the Special Category C account—state
35 appropriation is provided solely for the SR 18 Widening - Issaquah/
36 Hobart Rd to Raging River project (L1000199) for improving and
37 widening state route number 18 to four lanes from Issaquah-Hobart
38 Road to Raging River.

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

9 (18) \$1,090,000 of the motor vehicle account—state appropriation
10 is provided solely for the US 101/East Sequim Corridor Improvements
11 project (L2000343).

12 (19) \$12,139,000 of the motor vehicle account—state appropriation
13 and \$9,104,000 of the connecting Washington account—state
14 appropriation are provided solely for the SR 522/Paradise Lk Rd
15 Interchange & Widening on SR 522 (Design/Engineering) project
16 (NPARADI).

17 (20) \$1,378,000 of the motor vehicle account—federal
18 appropriation is provided solely for the US 101/Morse Creek Safety
19 Barrier project (L1000247).

20 (21) \$915,000 of the motor vehicle account—state appropriation is
21 provided solely for the SR 162/410 Interchange Design and Right of
22 Way project (L1000276).

23 (22) \$6,581,000 of the connecting Washington account—state
24 appropriation is provided solely for the US Hwy 2 Safety project
25 (N00200R).

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

32 (24) Any advisory group that the department convenes during the
33 2021-2023 fiscal biennium must consider the interests of the entire
34 state of Washington.

35 (25) The legislature continues to prioritize the replacement of
36 the state's aging infrastructure and recognizes the importance of
37 reusing and recycling construction aggregate and recycled concrete
38 materials in our transportation system. To accomplish Washington
39 state's sustainability goals in transportation and in accordance with

1 RCW 70.95.805, the legislature reaffirms its determination that
2 recycled concrete aggregate and other transportation building
3 materials are natural resource construction materials that are too
4 valuable to be wasted and landfilled, and are a commodity as defined
5 in WAC 173-350-100.

6 Further, the legislature determines construction aggregate and
7 recycled concrete materials substantially meet widely recognized
8 international, national, and local standards and specifications
9 referenced in American society for testing and materials, American
10 concrete institute, Washington state department of transportation,
11 Seattle department of transportation, American public works
12 association, federal aviation administration, and federal highway
13 administration specifications, and are described as necessary and
14 desirable products for recycling and reuse by state and federal
15 agencies.

16 As these recyclable materials have well established markets, are
17 substantially a primary or secondary product of necessary
18 construction processes and production, and are managed as an item of
19 commercial value, construction aggregate and recycled concrete
20 materials are exempt from chapter 173-350 WAC.

21 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **PRESERVATION—PROGRAM P**

23	Recreational Vehicle Account—State Appropriation	\$1,520,000
24	Transportation 2003 Account (Nickel Account)—State	
25	Appropriation	\$49,105,000
26	Transportation Partnership Account—State	
27	Appropriation	\$15,183,000
28	Motor Vehicle Account—State Appropriation	\$85,444,000
29	Motor Vehicle Account—Federal Appropriation	\$489,602,000
30	Motor Vehicle Account—Private/Local	
31	Appropriation	\$10,792,000
32	Connecting Washington Account—State Appropriation	\$159,043,000
33	State Route Number 520 Corridor Account—State	
34	Appropriation	\$1,891,000
35	Tacoma Narrows Toll Bridge Account—State	
36	Appropriation	\$9,730,000
37	Alaskan Way Viaduct Replacement Project Account—State	
38	Appropriation	\$314,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation.	\$26,039,000
3	TOTAL APPROPRIATION.	\$848,663,000

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

6 (1) Except as provided otherwise in this section, the entire
7 connecting Washington account—state appropriation and the entire
8 transportation partnership account—state appropriation are provided
9 solely for the projects and activities as listed by fund, project,
10 and amount in LEAP Transportation Document 2021-1 as developed April
11 23, 2021, Program - Highway Preservation Program (P). However,
12 limited transfers of specific line-item project appropriations may
13 occur between projects for those amounts listed subject to the
14 conditions and limitations in section 601 of this act.

15 (2) Except as provided otherwise in this section, the entire
16 motor vehicle account—state appropriation and motor vehicle account—
17 federal appropriation are provided solely for the projects and
18 activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS
19 as developed April 23, 2021, Program - Highway Preservation Program
20 (P). Any federal funds gained through efficiencies, adjustments to
21 the federal funds forecast, or the federal funds redistribution
22 process must then be applied to highway and bridge preservation
23 activities or fish passage barrier corrections (0BI4001).

24 (3) Within the motor vehicle account—state appropriation and
25 motor vehicle account—federal appropriation, the department may
26 transfer funds between programs I and P, except for funds that are
27 otherwise restricted in this act. Ten days prior to any transfer, the
28 department must submit its request to the office of financial
29 management and the transportation committees of the legislature and
30 consider any concerns raised. The department shall submit a report on
31 fiscal year funds transferred in the prior fiscal year using this
32 subsection as part of the department's annual budget submittal.

33 (4) \$5,166,000 of the connecting Washington account—state
34 appropriation is provided solely for the land mobile radio upgrade
35 (G2000055) and is subject to the conditions, limitations, and review
36 provided in section 701 of this act. The land mobile radio project is
37 subject to technical oversight by the office of the chief information
38 officer. The department, in collaboration with the office of the
39 chief information officer, shall identify where existing or proposed

1 mobile radio technology investments should be consolidated, identify
2 when existing or proposed mobile radio technology investments can be
3 reused or leveraged to meet multiagency needs, increase mobile radio
4 interoperability between agencies, and identify how redundant
5 investments can be reduced over time. The department shall also
6 provide quarterly reports to the technology services board on project
7 progress.

8 (5) \$5,000,000 of the motor vehicle account—state appropriation
9 is provided solely for extraordinary costs incurred from litigation
10 awards, settlements, or dispute mitigation activities not eligible
11 for funding from the self-insurance fund (L2000290). The amount
12 provided in this subsection must be held in unallotted status until
13 the department submits a request to the office of financial
14 management that includes documentation detailing litigation-related
15 expenses. The office of financial management may release the funds
16 only when it determines that all other funds designated for
17 litigation awards, settlements, and dispute mitigation activities
18 have been exhausted. No funds provided in this subsection may be
19 expended on any legal fees related to the SR 99/Alaskan Way viaduct
20 replacement project (809936Z).

21 (6) \$11,679,000 of the motor vehicle account—federal
22 appropriation is provided solely for preservation projects within
23 project L1100071 that ensure the reliable movement of freight on the
24 national highway freight system. The department shall give priority
25 to those projects that can be advertised by September 30, 2021.

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

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

37 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
38 **TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

1	Motor Vehicle Account—State Appropriation	\$8,273,000
2	Motor Vehicle Account—Federal Appropriation	\$5,289,000
3	Motor Vehicle Account—Private/Local Appropriation	\$500,000
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	\$900,000
6	TOTAL APPROPRIATION.	\$14,962,000

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

9 (1) \$579,000 of the motor vehicle account—state appropriation is
10 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

11 (2) \$1,000,000 of the motor vehicle account—state appropriation
12 is provided solely for the Challenge Seattle project (000009Q). The
13 department shall provide a progress report on this project to the
14 transportation committees of the legislature by January 15, 2022.

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

17	Puget Sound Capital Construction Account—State	
18	Appropriation	\$128,759,000
19	Puget Sound Capital Construction Account—Federal	
20	Appropriation	\$139,188,000
21	Puget Sound Capital Construction Account—Private/Local	
22	Appropriation	\$312,000
23	Transportation Partnership Account—State	
24	Appropriation	\$8,410,000
25	Connecting Washington Account—State Appropriation	\$75,640,000
26	Capital Vessel Replacement Account—State	
27	Appropriation.	\$152,453,000
28	TOTAL APPROPRIATION.	\$504,762,000

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

31 (1) Except as provided otherwise in this section, the entire
32 appropriations in this section are provided solely for the projects
33 and activities as listed in LEAP Transportation Document 2021-2 ALL
34 PROJECTS as developed April 23, 2021, Program - Washington State
35 Ferries Capital Program (W). No funds appropriated in this act or
36 additional funds received through the unanticipated receipt process

1 may be allocated or expended for terminal electrification purposes
2 this biennium.

3 (2) For the 2021-2023 biennium, the marine division shall provide
4 to the office of financial management and the legislative
5 transportation committees the following reports on ferry capital
6 projects:

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

- 10 (i) Anticipated cost increases and cost savings;
- 11 (ii) Anticipated cash flow and schedule changes; and
- 12 (iii) Explanations for the changes.

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

- 16 (i) What work has been done;
- 17 (ii) How have schedules shifted; and
- 18 (iii) Associated changes in funding among projects, accompanied
19 by explanations for the changes.

20 (c) On an annual basis the report must include an update on the
21 implementation of the maintenance management system with
22 recommendations for using the system to improve the efficiency of
23 project reporting under this subsection.

24 (3) \$5,000,000 of the Puget Sound capital construction account—
25 state appropriation is provided solely for emergency capital repair
26 costs (999910K). Funds may only be spent after approval by the office
27 of financial management.

28 (4) \$1,277,000 of the Puget Sound capital construction account—
29 state appropriation is provided solely for the ORCA card next
30 generation project (L2000300). The ferry system shall work with
31 Washington technology solutions and the tolling division on the
32 development of a new, interoperable ticketing system.

33 (5) \$24,750,000 of the Puget Sound capital construction account—
34 state appropriation is provided solely for the conversion of up to
35 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).
36 The department shall seek additional funds for the purposes of this
37 subsection. The department may spend from the Puget Sound capital
38 construction account—state appropriation in this section only as much

1 as the department receives in Volkswagen settlement funds for the
2 purposes of this subsection.

3 (6) \$152,453,000 of the capital vessel replacement account—state
4 appropriation is provided solely for the acquisition of a 144-car
5 hybrid-electric vessel (L2000329). In 2019 the legislature amended
6 RCW 47.60.810 to direct the department to modify an existing vessel
7 construction contract to provide for an additional five ferries. As
8 such, it is the intent of the legislature that the department award
9 the contract for the hybrid electric Olympic class vessel
10 #5(L2000329) in a timely manner. In addition, the legislature intends
11 to minimize costs and maximize construction efficiency by providing
12 sufficient funding for construction of all five vessels, including
13 funding for long lead time materials procured at the lowest possible
14 prices. The commencement of construction of new vessels for the ferry
15 system is important not only for safety reasons, but also to keep
16 skilled marine construction jobs in the Puget Sound region and to
17 sustain the capacity of the region to meet the ongoing construction
18 and preservation needs of the ferry system fleet of vessels. The
19 legislature has determined that the current vessel procurement
20 process must move forward with all due speed, balancing the interests
21 of both the taxpayers and shipyards. To accomplish construction of
22 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
23 for vessels initially funded after July 1, 2020, is encouraged to
24 follow the historical practice of subcontracting the construction of
25 ferry superstructures to a separate nonaffiliated contractor located
26 within the Puget Sound region, that is qualified in accordance with
27 RCW 47.60.690.

28 (7) The capital vessel replacement account—state appropriation
29 includes up to \$152,453,000 in proceeds from the sale of bonds
30 authorized in RCW 47.10.873.

31 (8) \$4,200,000 of the connecting Washington account—state
32 appropriation and \$2,200,000 of the Puget Sound operating account—
33 federal appropriation are provided solely for ferry vessel and
34 terminal preservation (L2000110). The funds provided in this
35 subsection must be used for unplanned preservation needs before
36 shifting funding from other preservation projects.

37 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**
38 **RAIL—PROGRAM Y—CAPITAL**

1	Essential Rail Assistance Account—State Appropriation	\$550,000
2	Transportation Infrastructure Account—State	
3	Appropriation	\$5,456,000
4	Multimodal Transportation Account—State	
5	Appropriation	\$82,493,000
6	Multimodal Transportation Account—Federal	
7	Appropriation	\$41,219,000
8	TOTAL APPROPRIATION.	\$129,718,000

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

11 (1) Except as provided otherwise in this section, the entire
12 appropriations in this section are provided solely for the projects
13 and activities as listed by project and amount in LEAP Transportation
14 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -
15 Rail Program (Y).

16 (2) \$5,089,000 of the transportation infrastructure account—state
17 appropriation is provided solely for new low-interest loans approved
18 by the department through the freight rail investment bank (FRIB)
19 program. The department shall issue FRIB program loans with a
20 repayment period of no more than ten years, and charge only so much
21 interest as is necessary to recoup the department's costs to
22 administer the loans. The department shall report annually to the
23 transportation committees of the legislature and the office of
24 financial management on all FRIB loans issued. FRIB program loans may
25 be recommended by the department for 2022 supplemental transportation
26 appropriations up to the amount provided in this appropriation that
27 has not been provided for the projects listed in 2021-2 ALL PROJECTS,
28 as referenced in subsection (1) of this section. The department shall
29 submit a prioritized list for any loans recommended to the office of
30 financial management and the transportation committees of the
31 legislature by November 15, 2021.

32 (3) \$6,817,000 of the multimodal transportation account—state
33 appropriation is provided solely for new statewide emergent freight
34 rail assistance projects identified in the LEAP transportation
35 document referenced in subsection (1) of this section.

36 (4) \$367,000 of the transportation infrastructure account—state
37 appropriation and \$1,100,000 of the multimodal transportation account
38 —state appropriation are provided solely to reimburse Highline Grain,
39 LLC for approved work completed on Palouse River and Coulee City

1 (PCC) railroad track in Spokane county between the BNSF Railway
2 Interchange at Cheney and Geiger Junction and must be administered in
3 a manner consistent with freight rail assistance program projects.
4 The value of the public benefit of this project is expected to meet
5 or exceed the cost of this project in: Shipper savings on
6 transportation costs; jobs saved in rail-dependent industries; and/or
7 reduced future costs to repair wear and tear on state and local
8 highways due to fewer annual truck trips (reduced vehicle miles
9 traveled). The amounts provided in this subsection are not a
10 commitment for future legislatures, but it is the legislature's
11 intent that future legislatures will work to approve biennial
12 appropriations until the full \$7,337,000 cost of this project is
13 reimbursed.

14 (5) (a) \$550,000 of the essential rail assistance account—state
15 appropriation is provided solely for the purpose of the
16 rehabilitation and maintenance of the Palouse river and Coulee City
17 railroad line (F01111B).

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

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

23 (ii) Revenues from trackage rights agreement fees paid by
24 shippers; and

25 (iii) Revenues and transfers transferred from the miscellaneous
26 program account to the essential rail assistance account, pursuant to
27 RCW 47.76.360, for the purpose of sustaining the grain train program
28 by maintaining the Palouse river and Coulee City railroad.

29 (6) The department shall issue a call for projects for the
30 freight rail assistance program, and shall evaluate the applications
31 in a manner consistent with past practices as specified in section
32 309, chapter 367, Laws of 2011. By November 15, 2022, the department
33 shall submit a prioritized list of recommended projects to the office
34 of financial management and the transportation committees of the
35 legislature.

36 (7) \$33,964,000 of the multimodal transportation account—state
37 appropriation and \$37,500,000 of the multimodal transportation
38 account—federal appropriation are provided solely for Passenger Rail
39 Equipment Replacement (project 700010C.) The appropriations in this

1 subsection include insurance proceeds received by the state. The
2 department must use these funds only to purchase replacement
3 equipment that has been competitively procured and for service
4 recovery needs and corrective actions related to the December 2017
5 derailment.

6 (8) \$223,000 of the multimodal transportation account—state
7 appropriation is provided solely for contingency funding for emergent
8 freight rail assistance projects funded in subsection (3) of this
9 section. Project sponsors may apply to the department for contingency
10 funds needed due to unforeseeable cost increases. The department
11 shall submit a report of any contingency funds provided under this
12 subsection as part of the department's annual budget submittal.

13 (9) It is the intent of the legislature to encourage the
14 department to pursue federal grant opportunities leveraging up to
15 \$6,696,000 in connecting Washington programmed funds to be used as a
16 state match to improve the state-owned Palouse river and Coulee City
17 system. The amount listed in this subsection is not a commitment for
18 future legislatures, but is the legislature's intent that future
19 legislatures will work to approve biennial appropriations up to a
20 state match share not to exceed \$6,696,000 of a grant award.

21 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

23	Highway Infrastructure Account—State Appropriation	\$793,000
24	Highway Infrastructure Account—Federal Appropriation	\$1,600,000
25	Transportation Partnership Account—State	
26	Appropriation	\$750,000
27	Motor Vehicle Account—State Appropriation	\$11,064,000
28	Motor Vehicle Account—Federal Appropriation	\$55,751,000
29	Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
30	Connecting Washington Account—State Appropriation	\$123,292,000
31	Multimodal Transportation Account—State	
32	Appropriation	\$71,615,000
33	TOTAL APPROPRIATION.	\$271,465,000

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

36 (1) Except as provided otherwise in this section, the entire
37 appropriations in this section are provided solely for the projects
38 and activities as listed by project and amount in LEAP Transportation

1 Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program -
2 Local Programs Program (Z).

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

6 (a) \$32,613,000 of the multimodal transportation account—state
7 appropriation is provided solely for pedestrian and bicycle safety
8 program projects (L2000188).

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

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

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

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

37 (6) \$12,500,000 of the motor vehicle account—federal
38 appropriation is provided solely for national highway freight network
39 projects identified on the project list submitted in accordance with

1 section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016
2 (L1000169).

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

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

24 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**
25 **CAPITAL PROGRAM**

26 (1) As part of its annual budget submittal, the department of
27 transportation shall provide an update to the report provided to the
28 legislature in the prior fiscal year that: (a) Compares the original
29 project cost estimates approved in the 2003, 2005, and 2015 revenue
30 package project lists to the completed cost of the project, or the
31 most recent legislatively approved budget and total project costs for
32 projects not yet completed; (b) identifies highway projects that may
33 be reduced in scope and still achieve a functional benefit; (c)
34 identifies highway projects that have experienced scope increases and
35 that can be reduced in scope; (d) identifies highway projects that
36 have lost significant local or regional contributions that were
37 essential to completing the project; (e) identifies risk reserves and
38 contingency amounts allocated to projects; and (f) lists the nickel,
39 TPA, and connecting Washington projects charging to the

1 Nickel/TPA/CWA Environmental Mitigation Reserve (OBI4ENV) and the
2 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project
3 (OBI100B), and the amount each project is charging.

4 (2) As part of its annual budget submittal, the department of
5 transportation shall provide: (a) An annual report on the number of
6 toll credits the department has accumulated and how the department
7 has used the toll credits, and (b) a status report on the projects
8 funded using federal national highway freight program funds.

9 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**
10 **CAPITAL PROGRAM**

11 On a quarterly basis, the department of transportation shall
12 provide to the office of financial management and the legislative
13 transportation committees a report for all capital projects, except
14 for ferry projects subject to the reporting requirements established
15 in section 309 of this act, that must include:

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

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

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

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

27 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
28 **PROJECT EXPENDITURES**

29 To the greatest extent practicable, the department of
30 transportation shall expend federal funds received for capital
31 project expenditures before state funds.

32 NEW SECTION. **Sec. 315. NOTIFICATION REQUIREMENTS FOR PAUSES AND**
33 **CANCELLATIONS**

34 (1) The department shall notify the transportation committees of
35 the legislature when it intends to pause for a significant length of
36 time or not proceed with operating items or capital projects included
37 as budget provisos or on project lists. When feasible, this

1 notification shall be provided prior to the pause or cancellation and
2 at least seven days in advance of any public announcement related to
3 such a pause or cancellation.

4 (2) At the time of notification, the department shall provide an
5 explanation for the reason or reasons for the pause or cancellation
6 for each operating budget item and capital project. The explanation
7 shall include specific reasons for each pause or cancellation, in
8 addition to a statement of the broad rationale for the pause or
9 cancellation.

10 (3) When feasible, the department shall make best efforts to keep
11 the transportation committees of the legislature informed of an
12 evaluation process underway for selecting operating budget items and
13 capital projects to be paused or cancelled, providing updates as its
14 selection efforts proceed.

15 (4) When exigent circumstances prevent prior notice of a pause or
16 cancellation from being provided to the transportation committees of
17 the legislature, the department shall provide the information
18 required under this section to the transportation committees of the
19 legislature as soon as is practicable.

20 **TRANSFERS AND DISTRIBUTIONS**

21 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT**
22 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
23 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
24 **TRANSPORTATION FUND REVENUE**

25	Transportation Partnership Account—State Appropriation. . .	\$904,000
26	Connecting Washington Account—State Appropriation. . . .	\$11,153,000
27	Special Category C Account—State Appropriation.	\$412,000
28	Highway Bond Retirement Account—State	
29	Appropriation.	\$1,483,793,000
30	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
31	Transportation Improvement Board Bond Retirement	
32	Account—State Appropriation.	\$11,770,000
33	Nondebt-Limit Reimbursable Bond Retirement	
34	Account—State Appropriation.	\$29,323,000
35	Toll Facility Bond Retirement Account—State	
36	Appropriation.	\$76,376,000
37	TOTAL APPROPRIATION.	\$1,630,881,000

1 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT**
2 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
3 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

4 Transportation Partnership Account—State
5 Appropriation. \$181,000
6 Connecting Washington Account—State Appropriation. \$2,231,000
7 Special Category C Account—State Appropriation. \$82,000
8 TOTAL APPROPRIATION. \$2,494,000

9 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**
10 **FOR DISTRIBUTION**

11 Motor Vehicle Account—State Appropriation: For motor
12 vehicle fuel tax statutory distributions to
13 cities and counties. \$467,390,000
14 Multimodal Transportation Account—State
15 Appropriation: For distribution to cities and
16 counties. \$26,786,000
17 Motor Vehicle Account—State Appropriation: For
18 distribution to cities and counties. \$23,438,000

19 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

20 Motor Vehicle Account—State Appropriation: For motor
21 vehicle fuel tax refunds and statutory transfers. \$1,974,599,000

22 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
23 **TRANSFERS**

24 Motor Vehicle Account—State Appropriation: For motor
25 vehicle fuel tax refunds and transfers. \$235,675,000

26 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
27 **TRANSFERS**

28 (1) Highway Safety Account—State Appropriation:
29 For transfer to the State Patrol Highway
30 Account—State. \$47,000,000
31 (2) (a) Transportation Partnership Account—State
32 Appropriation: For transfer to the Capital Vessel
33 Replacement Account—State. \$152,453,000
34 (b) The amount transferred in this subsection represents proceeds
35 from the sale of bonds authorized in RCW 47.10.873.

1 (3) (a) Transportation Partnership Account—State
2 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
3 —State. \$30,293,000
4 (b) It is the intent of the legislature that this transfer is
5 temporary, for the purpose of minimizing the impact of toll
6 increases. An equivalent reimbursing transfer is to occur after the
7 debt service and deferred sales tax on the Tacoma Narrows bridge
8 construction costs are fully repaid in accordance with chapter 195,
9 Laws of 2018.

10 (4) (a) Motor Vehicle Account—State Appropriation:
11 For transfer to Alaskan Way Viaduct Account
12 —State. \$6,000,000
13 (b) The funds provided in (a) of this subsection are a loan to
14 the Alaskan Way viaduct replacement project account—state, and the
15 legislature assumes that these funds will be reimbursed to the motor
16 vehicle account—state at a later date when traffic on the toll
17 facility has recovered from the COVID-19 pandemic.

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

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

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

26 (8) Motor Vehicle Account—State Appropriation:
27 For transfer to the Transportation Improvement
28 Account—State. \$9,688,000

29 (9) Rural Mobility Grant Program Account—State
30 Appropriation: For transfer to the Multimodal
31 Transportation Account—State. \$3,000,000

32 (10) (a) State Route Number 520 Civil Penalties
33 Account—State Appropriation: For transfer to the
34 Motor Vehicle Account—State
35 \$2,000,000
36 (b) The transfer in this subsection is to repay moneys loaned to
37 the state route number 520 civil penalties account in the 2019-2021
38 fiscal biennium.

39 (11) State Route Number 520 Civil Penalties

1 Account—State Appropriation: For transfer to the
2 State Route Number 520 Corridor Account—State. \$1,532,000
3 (12) Capital Vessel Replacement Account—State
4 Appropriation: For transfer to the Connecting
5 Washington Account—State. \$35,000,000
6 (13)(a) Capital Vessel Replacement Account—State
7 Appropriation: For transfer to the Transportation
8 Partnership Account—State. \$10,305,000
9 (b) The amount transferred in this subsection represents
10 repayment of debt service incurred for the construction of the Hybrid
11 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
12 (14) Multimodal Transportation Account—State
13 Appropriation: For transfer to the Complete Streets
14 Grant Program Account—State. \$14,670,000
15 (15) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Connecting
17 Washington Account—State. \$200,000,000
18 (16) Multimodal Transportation Account—State
19 Appropriation: For transfer to the Freight Mobility
20 Multimodal Account—State. \$4,011,000
21 (17) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Ignition Interlock
23 Device Revolving Account—State. \$600,000
24 (18) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Pilotage
26 Account—State. \$1,500,000
27 (19) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Puget Sound
29 Capital Construction Account—State. \$60,000,000
30 (20) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Regional Mobility
32 Grant Program Account—State. \$27,679,000
33 (21) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Rural Mobility
35 Grant Program Account—State. \$15,223,000
36 (22)(a) Alaskan Way Viaduct Replacement Project
37 Account—State Appropriation: For transfer to the
38 Transportation Partnership Account—State. \$22,884,000

1 (b) The amount transferred in this subsection represents
2 repayment of debt service incurred for the construction of the SR 99/
3 Alaskan Way Viaduct Replacement project (809936Z).

4 (23) Tacoma Narrows Toll Bridge Account—State
5 Appropriation: For transfer to the Motor Vehicle
6 Account—State. \$950,000

7 (24) Puget Sound Ferry Operations Account—State
8 Appropriation: For transfer to the Puget Sound
9 Capital Construction Account—State. \$60,000,000

10 (25)(a) General Fund Account—State
11 Appropriation: For transfer to the State Patrol
12 Highway Account—State. \$625,000

13 (b) The state treasurer shall transfer the funds only after
14 receiving notification from the Washington state patrol under section
15 207(2) of this act.

16 **NEW SECTION. Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT**
17 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
18 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

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

24 **NEW SECTION. Sec. 408. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
25 **AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS**

26 Coronavirus State Fiscal Recovery Fund—Federal
27 Appropriation \$600,000,000

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

30 (1) The appropriation is provided solely for expenditure into
31 accounts in the amounts specified in subsection (2) of this section.
32 These amounts are intended to compensate accounts for revenue losses
33 in state fiscal years 2020 and 2021 relative to revenues collected in
34 state fiscal year 2019 and shall be used to maintain government
35 services pursuant to the federal American rescue plan act of 2021.

36 (2) The appropriation must be distributed to the following
37 accounts in the amounts designated:

1	Multimodal Transportation Account—State.	\$115,611,000
2	Motor Vehicle Account—State.	\$99,416,000
3	Puget Sound Ferry Operations Account—State.	\$85,966,000
4	Connecting Washington Account—State.	\$67,663,000
5	Transportation Partnership Account—State.	\$39,547,000
6	State Route Number 520 Corridor Account—State.	\$59,567,000
7	Transportation 2003 Account (Nickel Account)—State.	\$28,681,000
8	State Patrol Highway Account—State.	\$12,358,000
9	Highway Safety Account—State.	\$8,219,000
10	Tacoma Narrows Toll Bridge Account—State.	\$15,707,000
11	Interstate 405 and State Route Number 167 Express Toll	
12	Lanes Account—State.	\$32,893,000
13	Transportation Improvement Account—State.	\$15,844,000
14	Rural Arterial Trust Account—State.	\$3,092,000
15	County Arterial Preservation Account—State.	\$1,939,000
16	State Route Number 520 Civil Penalties Account—State.	\$5,442,000
17	Special Category C Account—State.	\$3,975,000
18	Puget Sound Capital Construction Account—State.	\$2,892,000
19	Aeronautics Account—State.	\$777,000
20	School Zone Safety Account—State.	\$393,000
21	Motorcycle Safety Education Account—State.	\$18,000

22 **COMPENSATION**

23 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
24 **IMPAIRED**

25 Nothing in this act prohibits the expenditure of any funds by an
26 agency or institution of the state for benefits guaranteed by any
27 collective bargaining agreement in effect on the effective date of
28 this section.

29 NEW SECTION. **Sec. 502. COLLECTIVE BARGAINING AGREEMENTS**

30 Sections 503 through 520 of this act represent the results of the
31 2021-2023 collective bargaining process required under chapters
32 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining
33 agreements contained in sections 503 through 520 of this act are
34 described in general terms. Only major economic terms are included in
35 the descriptions. These descriptions do not contain the complete

1 contents of the agreements. The collective bargaining agreements
2 contained in sections 503 through 520 of this act may also be funded
3 by expenditures from nonappropriated accounts. If positions are
4 funded with lidded grants or dedicated fund sources with insufficient
5 revenue, additional funding from other sources is not provided.

6 NEW SECTION. **Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
7 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

8 An agreement has been reached between the governor and the office
9 and professional employees international union local eight (OPEIU)
10 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
11 Funding is provided to fund the agreement, which does not include
12 wage increases but does include furloughs. The agreement provides
13 that positions designated by the employer as not requiring backfill
14 take 24 furlough days during the biennium. In addition, the following
15 positions are not subject to the furlough requirement: Bid
16 administrator, dispatch, dispatch coordinator, and relief positions.

17 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
18 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

19 An agreement has been reached between the governor and the ferry
20 agents, supervisors, and project administrators association pursuant
21 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
22 provided to fund the agreement, which does not include wage increases
23 but does include furloughs. The agreement provides that positions
24 designated by the employer as not requiring backfill take 24 furlough
25 days during the biennium.

26 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
27 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

28 An agreement has been reached between the governor and the
29 service employees international union local 6 pursuant to chapter
30 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
31 fund the agreement, which does not include wage increases but does
32 include furloughs. The agreement provides that positions designated
33 by the employer as not requiring backfill take 24 furlough days
34 during the biennium.

1 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

3 An agreement has been reached between the governor and the
4 Pacific Northwest regional council of carpenters pursuant to chapter
5 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
6 fund the agreement, which does not include wage increases but does
7 include furloughs. The agreement provides that positions designated
8 by the employer as not requiring backfill take 24 furlough days
9 during the biennium.

10 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
11 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

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

18 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
19 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

20 An agreement has been reached between the governor and the marine
21 engineers' beneficial association unlicensed engine room employees
22 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium.
23 Funding is provided to fund the agreement, which does not include
24 either wage increases or the furlough requirement.

25 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

27 An agreement has been reached between the governor and the marine
28 engineers' beneficial association licensed engineer officers pursuant
29 to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
30 provided to fund the agreement, which does not include either wage
31 increases or the furlough requirement.

32 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
33 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS**

34 An agreement has been reached between the governor and the marine
35 engineers' beneficial association port engineers pursuant to chapter

1 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to
2 fund the agreement, which does not include wage increases but does
3 include furloughs. The agreement provides that positions designated
4 by the employer as not requiring backfill take 24 furlough days
5 during the biennium.

6 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
7 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

8 An agreement has been reached between the governor and the
9 masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for
10 the 2021-2023 fiscal biennium. Funding is provided to fund the
11 agreement, which includes a two percent wage increase for second
12 mates, and does not include the furlough requirement.

13 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
14 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

15 An agreement has been reached between the governor and the
16 masters, mates, and pilots - masters pursuant to chapter 47.64 RCW
17 for the 2021-2023 fiscal biennium. Funding is provided to fund the
18 agreement, which does not include either wage increases or the
19 furlough requirement.

20 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
21 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**
22 **SUPERVISORS**

23 An agreement has been reached between the governor and the
24 masters, mates, and pilots - watch center supervisors pursuant to
25 chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is
26 provided to fund the agreement, which does not include wage increases
27 but does include furloughs only for the following positions: Fleet
28 facility security officers and workforce development leads.

29 NEW SECTION. **Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE**
30 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

31 An agreement has been reached between the governor and the
32 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW
33 through an interest arbitration award for the 2021-2023 fiscal
34 biennium. Funding is provided to fund the agreement, which does not

1 include wage increases, but does include furlough days for employees
2 in positions that do not require the position to be backfilled.

3 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT—WFSE**

4 An agreement has been reached between the governor and the
5 Washington federation of state employees under the provisions of
6 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
7 provided to fund the agreement, which does not include wage
8 increases, but does include 24 furlough days for employees in
9 position that do not require the position to be backfilled.

10 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**
11 **LOCAL 17**

12 An agreement has been reached between the governor and the
13 professional and technical employees local 17 under the provisions of
14 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
15 provided to fund the agreement, which does not include wage
16 increases, but does include 24 furlough days for employees in
17 position that do not require the position to be backfilled.

18 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WPEA**

19 An agreement has been reached between the governor and the
20 Washington public employees association under the provisions of
21 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
22 provided to fund the agreement, which does not include wage
23 increases, but does include 24 furlough days for employees in
24 positions that do not require the position to be backfilled.

25 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**
26 **COALITION OF UNIONS**

27 An agreement has been reached for the 2019-2021 biennium between
28 the governor and the coalition of unions under the provisions of
29 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is
30 provided to fund the agreement, which includes 24 furlough days for
31 employees in position that do not require the position to be
32 backfilled. The agreement includes and funding is provided for a 2.5
33 percent wage increase for fiscal year 2022 and a 2.5 percent wage
34 increase for fiscal year 2023 for the department of corrections
35 marine vessel operators.

1 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**
2 **TROOPERS ASSOCIATION**

3 An agreement has been reached between the governor and the
4 Washington state patrol troopers association under the provisions of
5 chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is
6 provided to fund the agreement, which does not include general wages
7 increases but does provide the ability to request to reopen the
8 compensation article for the purpose of bargaining base rate of pay
9 for fiscal year 2023.

10 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**
11 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

12 An agreement has been reached between the governor and the
13 Washington state patrol lieutenants and captains association under
14 the provisions of chapter 41.56 RCW for the 2021-2023 fiscal
15 biennium. Funding is provided to fund the agreement, which does not
16 include general wages increases but does provide the ability to
17 request to reopen the compensation article for the purpose of
18 bargaining base rate of pay for fiscal year 2023.

19 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**
20 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

21 An agreement was reached for the 2021-2023 biennium between the
22 governor and the health care coalition under the provisions of
23 chapter 41.80 RCW. Appropriations in this act for state agencies,
24 including institutions of higher education, are sufficient to
25 implement the provisions of the 2021-2023 collective bargaining
26 agreement, which maintains the provisions of the 2019-2021 agreement,
27 and are subject to the following conditions and limitations:

28 The monthly employer funding rate for insurance benefit premiums,
29 public employees' benefits board administration, and the uniform
30 medical plan, shall not exceed \$936 per eligible employee for fiscal
31 year 2022. For fiscal year 2023, the monthly employer funding rate
32 shall not exceed \$1091 per eligible employee.

33 The board shall collect a \$25 per month surcharge payment from
34 members who use tobacco products and a surcharge payment of not less
35 than \$50 per month from members who cover a spouse or domestic
36 partner where the spouse or domestic partner has chosen not to enroll
37 in another employer-based group health insurance that has benefits

1 and premiums with an actuarial value of not less than 95 percent of
2 the actuarial value of the public employees' benefits board plan with
3 the largest enrollment. The surcharge payments shall be collected in
4 addition to the member premium payment if directed by the
5 legislature.

6 NEW SECTION. **Sec. 522. COMPENSATION—REPRESENTED EMPLOYEES**
7 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

8 Appropriations for state agencies in this act are sufficient for
9 represented employees outside the coalition for health benefits, and
10 are subject to the following conditions and limitations: The monthly
11 employer funding rate for insurance benefit premiums, public
12 employees' benefits board administration, and the uniform medical
13 plan, may not exceed \$936 per eligible employee for fiscal year 2022.
14 For fiscal year 2023, the monthly employer funding rate may not
15 exceed \$1091 per eligible employee.

16 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**
17 **INSURANCE BENEFITS**

18 Appropriations for state agencies in this act are sufficient for
19 nonrepresented state employee health benefits for state agencies,
20 including institutions of higher education, and are subject to the
21 following conditions and limitations: The employer monthly funding
22 rate for insurance benefit premiums, public employees' benefits board
23 administration, and the uniform medical plan, shall not exceed \$936
24 per eligible employee for fiscal year 2022. For fiscal year 2023, the
25 monthly employer funding rate shall not exceed \$1091 per eligible
26 employee.

27 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**
28 **RATES**

29 The appropriations in this act for school districts and state
30 agencies, including institutions of higher education, are subject to
31 the following conditions and limitations: Appropriations are adjusted
32 to reflect changes to agency appropriations to reflect pension
33 contribution rates adopted by the pension funding council and the law
34 enforcement officers' and firefighters' retirement system plan 2
35 board.

1 NEW SECTION. **Sec. 525. JUNETEENTH HOLIDAY**

2 Specific funding is provided in agency budgets for the cost to
3 agencies of additional staff necessary to provide coverage in
4 positions that require continual presence, as a result of
5 implementing chapter . . . (Substitute House Bill No. 1016), Laws of
6 2021 (making Juneteenth a legal holiday). If chapter . . .
7 (Substitute House Bill No. 1016), Laws of 2021 is not enacted by June
8 30, 2021, this section has no force and effect.

9 NEW SECTION. **Sec. 526. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
10 **INLANDBOATMEN'S UNION OF THE PACIFIC**

11 Puget Sound Ferry Operations Account—State

12 Appropriation \$2,798,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: Funding is provided solely for
15 eliminating the furlough days in the agreement reached with the
16 inlandboatmen's union of the Pacific and approved in part V of this
17 act. Expenditure of the amounts provided for this purpose is
18 contingent upon execution of an appropriate memorandum of
19 understanding between the governor or the governor's designee and the
20 exclusive bargaining representative, consistent with the terms of
21 this section. Appropriations for state agencies are increased by the
22 amounts specified in LEAP Transportation Document 2021 -
23 Compensation, dated April 23, 2021, to fund the provisions of this
24 section upon execution of the memorandum of understanding.

25 NEW SECTION. **Sec. 527. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
26 **PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS**

27 Puget Sound Ferry Operations Account—State

28 Appropriation \$156,000

29 The appropriations in this section are subject to the following
30 conditions and limitations: Funding is provided solely for
31 eliminating the furlough days in the agreement reached with the
32 Pacific Northwest regional council of carpenters and approved in part
33 V of this act. Expenditure of the amounts provided for this purpose
34 is contingent upon execution of an appropriate memorandum of
35 understanding between the governor or the governor's designee and the
36 exclusive bargaining representative, consistent with the terms of
37 this section. Appropriations for state agencies are increased by the

1 amounts specified in LEAP Transportation Document 2021 -
2 Compensation, dated April 23, 2021, to fund the provisions of this
3 section upon execution of the memorandum of understanding.

4 NEW SECTION. **Sec. 528. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
5 **OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8**

6 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

7 The appropriations in this section are subject to the following
8 conditions and limitations: Funding is provided solely for
9 eliminating the furlough days in the agreement reached with the
10 office and professional employees international union local 8 and
11 approved in part V of this act. Expenditure of the amounts provided
12 for this purpose is contingent upon execution of an appropriate
13 memorandum of understanding between the governor or the governor's
14 designee and the exclusive bargaining representative, consistent with
15 the terms of this section. Appropriations for state agencies are
16 increased by the amounts specified in LEAP Transportation Document
17 2021 - Compensation, dated April 23, 2021, to fund the provisions of
18 this section upon execution of the memorandum of understanding.

19 NEW SECTION. **Sec. 529. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
20 **FERRY AGENTS, SUPERVISORS, AND PROJECT ADMINISTRATORS ASSOCIATION**

21 Puget Sound Ferry Operations Account—State Appropriation . . \$344,000

22 The appropriations in this section are subject to the following
23 conditions and limitations: Funding is provided solely for
24 eliminating the furlough days in the agreement reached with the ferry
25 agents, supervisors, and project administrators association and
26 approved in part V of this act. Expenditure of the amounts provided
27 for this purpose is contingent upon execution of an appropriate
28 memorandum of understanding between the governor or the governor's
29 designee and the exclusive bargaining representative, consistent with
30 the terms of this section. Appropriations for state agencies are
31 increased by the amounts specified in LEAP Transportation Document
32 2021 - Compensation, dated April 23, 2021, to fund the provisions of
33 this section upon execution of the memorandum of understanding.

34 NEW SECTION. **Sec. 530. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
35 **SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 6**

36 Puget Sound Ferry Operations Account—State Appropriation . . \$24,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: Funding is provided solely for
3 eliminating the furlough days in the agreement reached with the
4 service employees international union local 6 and approved in part V
5 of this act. Expenditure of the amounts provided for this purpose is
6 contingent upon execution of an appropriate memorandum of
7 understanding between the governor or the governor's designee and the
8 exclusive bargaining representative, consistent with the terms of
9 this section. Appropriations for state agencies are increased by the
10 amounts specified in LEAP Transportation Document 2021 -
11 Compensation, dated April 23, 2021, to fund the provisions of this
12 section upon execution of the memorandum of understanding.

13 NEW SECTION. **Sec. 531. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
14 **MASTERS, MATES, AND PILOTS—WATCH CENTER SUPERVISORS**

15 Puget Sound Ferry Operations Account—State Appropriation . . \$150,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: Funding is provided solely for
18 eliminating the furlough days in the agreement reached with the
19 masters, mates, and pilots - watch center supervisors and approved in
20 part V of this act. Expenditure of the amounts provided for this
21 purpose is contingent upon execution of an appropriate memorandum of
22 understanding between the governor or the governor's designee and the
23 exclusive bargaining representative, consistent with the terms of
24 this section. Appropriations for state agencies are increased by the
25 amounts specified in LEAP Transportation Document 2021 -
26 Compensation, dated April 23, 2021, to fund the provisions of this
27 section upon execution of the memorandum of understanding.

28 NEW SECTION. **Sec. 532. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
29 **MARINE ENGINEERS' BENEFICIAL ASSOCIATION PORT ENGINEERS**

30 Puget Sound Ferry Operations Account—State Appropriation . . \$84,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: Funding is provided solely for
33 eliminating the furlough days in the agreement reached with the
34 marine engineers' beneficial association port engineers and approved
35 in part V of this act. Expenditure of the amounts provided for this
36 purpose is contingent upon execution of an appropriate memorandum of

1 understanding between the governor or the governor's designee and the
2 exclusive bargaining representative, consistent with the terms of
3 this section. Appropriations for state agencies are increased by the
4 amounts specified in LEAP Transportation Document 2021 -
5 Compensation, dated April 23, 2021, to fund the provisions of this
6 section upon execution of the memorandum of understanding.

7 NEW SECTION. **Sec. 533. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
8 **WASHINGTON FEDERATION OF STATE EMPLOYEES**

9	Motor Vehicle Account—State Appropriation	\$15,891,000
10	Highway Safety Account—State Appropriation	\$4,111,000
11	State Patrol Highway Account—State Appropriation	\$1,661,000
12	Other Appropriated Funds	\$1,038,000
13	TOTAL APPROPRIATION.	\$22,701,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: Funding is provided solely for
16 eliminating the furlough days in the agreement reached with the
17 Washington federation of state employees and approved in part V of
18 this act. Expenditure of the amounts provided for this purpose is
19 contingent upon execution of an appropriate memorandum of
20 understanding between the governor or the governor's designee and the
21 exclusive bargaining representative, consistent with the terms of
22 this section. Appropriations for state agencies are increased by the
23 amounts specified in LEAP Transportation Document 2021 -
24 Compensation, dated April 23, 2021, to fund the provisions of this
25 section upon execution of the memorandum of understanding.

26 NEW SECTION. **Sec. 534. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
27 **WASHINGTON PUBLIC EMPLOYEES ASSOCIATION GENERAL GOVERNMENT**

28	Motor Vehicle Account—State Appropriation	\$88,000
29	State Patrol Highway Account—State Appropriation	\$907,000
30	State Patrol Highway Account—Federal Appropriation	\$68,000
31	TOTAL APPROPRIATION.	\$1,063,000

32 The appropriations in this section are subject to the following
33 conditions and limitations: Funding is provided solely for
34 eliminating the furlough days in the agreement reached with the
35 Washington public employees association general government and
36 approved in part V of this act. Expenditure of the amounts provided
37 for this purpose is contingent upon execution of an appropriate

1 memorandum of understanding between the governor or the governor's
2 designee and the exclusive bargaining representative, consistent with
3 the terms of this section. Appropriations for state agencies are
4 increased by the amounts specified in LEAP Transportation Document
5 2021 - Compensation, dated April 23, 2021, to fund the provisions of
6 this section upon execution of the memorandum of understanding.

7 NEW SECTION. **Sec. 535. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
8 **PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17**

9	Motor Vehicle Account—State Appropriation	\$2,105,000
10	Highway Safety Account—State Appropriation	\$2,108,000
11	State Patrol Highway Account—State Appropriation	\$918,000
12	Other Appropriated Funds	\$802,000
13	TOTAL APPROPRIATION.	\$5,933,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: Funding is provided solely for
16 eliminating the furlough days in the agreement reached with the
17 professional and technical employees local 17 and approved in part V
18 of this act. Expenditure of the amounts provided for this purpose is
19 contingent upon execution of an appropriate memorandum of
20 understanding between the governor or the governor's designee and the
21 exclusive bargaining representative, consistent with the terms of
22 this section. Appropriations for state agencies are increased by the
23 amounts specified in LEAP Transportation Document 2021 -
24 Compensation, dated April 23, 2021, to fund the provisions of this
25 section upon execution of the memorandum of understanding.

26 NEW SECTION. **Sec. 536. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
27 **THE COALITION OF UNIONS**

28	State Patrol Highway Account—State Appropriation	\$212,000
29	State Patrol Highway Account—Federal Appropriation	\$18,000
30	TOTAL APPROPRIATION.	\$230,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: Funding is provided solely for
33 eliminating the furlough days in the agreement reached with the
34 coalition of unions and approved in part V of this act. Expenditure
35 of the amounts provided for this purpose is contingent upon execution
36 of an appropriate memorandum of understanding between the governor or
37 the governor's designee and the exclusive bargaining representative,

1 consistent with the terms of this section. Appropriations for state
2 agencies are increased by the amounts specified in LEAP
3 Transportation Document 2021 - Compensation, dated April 23, 2021, to
4 fund the provisions of this section upon execution of the memorandum
5 of understanding.

6 NEW SECTION. **Sec. 537. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
7 **PUGET SOUND METAL TRADES COUNCIL**

8 Puget Sound Ferry Operations Account—State
9 Appropriation \$130,000

10 The appropriations in this section are subject to the following
11 conditions and limitations: Funding is provided solely for
12 eliminating the general wage deduction in the agreement reached
13 through an interest arbitration award with the Puget Sound metal
14 trades council and approved in part V of this act. Expenditure of the
15 amounts provided for this purpose is contingent upon execution of an
16 appropriate memorandum of understanding between the governor or the
17 governor's designee and the exclusive bargaining representative,
18 consistent with the terms of this section. Appropriations for state
19 agencies are increased by the amounts specified in LEAP
20 Transportation Document 2021 - Compensation, dated April 23, 2021, to
21 fund the provisions of this section upon execution of the memorandum
22 of understanding.

23 NEW SECTION. **Sec. 538. COLLECTIVE BARGAINING AGREEMENTS—**
24 **ELIMINATING FURLOUGH DAYS**

25 Appropriations in this act provide sufficient funding to
26 eliminate the furlough days required in the following collective
27 bargaining agreements for the 2021-2023 biennium:

- 28 (1) Office and professional employees international union local
29 8;
- 30 (2) Ferry agents, supervisors, and project administrators
31 association;
- 32 (3) Service employees international union local 6;
- 33 (4) Pacific Northwest regional council of carpenters;
- 34 (5) Marine engineers' beneficial association port engineers;
- 35 (6) Masters, mates, and pilots - watch center supervisors;
- 36 (7) Inlandboatmen's union of the Pacific;
- 37 (8) Washington public employees association general government;

- 1 (9) Washington federation of state employees;
2 (10) Professional and technical employees local 17; and
3 (11) The coalition of unions.

4 Expenditure of the amounts provided for this purpose is
5 contingent upon execution of an appropriate memorandum of
6 understanding between the governor or the governor's designee and the
7 exclusive bargaining representative, consistent with the terms of
8 this section.

9 NEW SECTION. **Sec. 539. COLLECTIVE BARGAINING AGREEMENTS—**
10 **ELIMINATING GENERAL WAGE DECREASE**

11 Appropriations in this act provide sufficient funding solely for
12 the purpose of eliminating the 1.9 percent wage reduction from July
13 1, 2021, to June 30, 2022, provided in the arbitration award for the
14 Puget Sound metal trades council. Expenditure of the amounts provided
15 for this purpose is contingent upon execution of an appropriate
16 modification of the agreement between the governor or the governor's
17 designee and the exclusive bargaining representative, consistent with
18 the terms of this section.

19 NEW SECTION. **Sec. 540. FORGONE GENERAL WAGE INCREASES**

20 Appropriations in this act for state agencies, including
21 institutions of higher education, are sufficient to provide a three
22 percent or two percent general wage increase, effective July 1, 2021,
23 for employees that were scheduled to receive a general wage increase
24 of either of those amounts on July 1, 2020, that was forgone due to
25 COVID-19 emergency.

26 **IMPLEMENTING PROVISIONS**

27 NEW SECTION. **Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN**
28 **THE LEGISLATURE IS NOT IN SESSION**

29 (1) The 2005 transportation partnership projects or improvements
30 and 2015 connecting Washington projects or improvements are listed in
31 the LEAP Transportation Document 2021-1 as developed April 23, 2021,
32 which consists of a list of specific projects by fund source and
33 amount over a sixteen-year period. Current fiscal biennium funding
34 for each project is a line-item appropriation, while the outer year
35 funding allocations represent a sixteen-year plan. The department of
36 transportation is expected to use the flexibility provided in this

1 section to assist in the delivery and completion of all
2 transportation partnership account and connecting Washington account
3 projects on the LEAP transportation document referenced in this
4 subsection. For the 2021-2023 project appropriations, unless
5 otherwise provided in this act, the director of the office of
6 financial management may provide written authorization for a transfer
7 of appropriation authority between projects funded with
8 transportation partnership account appropriations or connecting
9 Washington account appropriations to manage project spending and
10 efficiently deliver all projects in the respective program under the
11 following conditions and limitations:

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

14 (b) Transfers from a project may not be made as a result of the
15 reduction of the scope of a project or be made to support increases
16 in the scope of a project;

17 (c) Transfers from a project may be made if the funds
18 appropriated to the project are in excess of the amount needed in the
19 current fiscal biennium;

20 (d) Transfers may not occur for projects not identified on the
21 applicable project list;

22 (e) Transfers to a project may not occur if that project is a
23 programmatic funding item described in broad general terms on the
24 applicable project list without referencing a specific state route
25 number;

26 (f) Transfers may not be made while the legislature is in
27 session;

28 (g) Transfers to a project may not be made with funds designated
29 as attributable to practical design savings as described in RCW
30 47.01.480;

31 (h) Except for transfers made under (l) of this subsection,
32 transfers may only be made in fiscal year 2023;

33 (i) The total amount of transfers under this section may not
34 exceed \$50,000,000;

35 (j) Except as otherwise provided in (l) of this subsection,
36 transfers made to a single project may not cumulatively total more
37 than \$20,000,000 per biennium;

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

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

3 (1) Transfers between projects may be made by the department of
4 transportation without the formal written approval provided under
5 this subsection (1), provided that the transfer amount to a single
6 project does not exceed two hundred fifty thousand dollars or ten
7 percent of the total project per biennium, whichever is less. These
8 transfers must be reported quarterly to the director of the office of
9 financial management and the chairs of the house of representatives
10 and senate transportation committees.

11 (2) The department of transportation must submit quarterly all
12 transfers authorized under this section in the transportation
13 executive information system. The office of financial management must
14 maintain a legislative baseline project list identified in the LEAP
15 transportation documents referenced in this act, and update that
16 project list with all authorized transfers under this section,
17 including any effects to the total project budgets and schedules
18 beyond the current biennium.

19 (3) At the time the department submits a request to transfer
20 funds under this section, a copy of the request must be submitted to
21 the chairs and ranking members of the transportation committees of
22 the legislature.

23 (4) Before approval, the office of financial management shall
24 work with legislative staff of the house of representatives and
25 senate transportation committees to review the requested transfers in
26 a timely manner and address any concerns raised by the chairs and
27 ranking members of the transportation committees.

28 (5) No fewer than ten days after the receipt of a project
29 transfer request, the director of the office of financial management
30 must provide written notification to the department of any decision
31 regarding project transfers, with copies submitted to the
32 transportation committees of the legislature.

33 (6) The department must submit annually as part of its budget
34 submittal a report detailing all transfers made pursuant to this
35 section, including any effects to the total project budgets and
36 schedules beyond the current biennium.

37 (7) (a) If the department of transportation receives federal
38 funding not appropriated in this act, the department shall apply such
39 funds to any of the following activities in lieu of state funds, if
40 compliant with federal funding restrictions, and in the order that

1 most reduces administrative burden and minimizes the use of bond
2 proceeds:

3 (i) Projects on LEAP Transportation Document 2021-2 ALL PROJECTS
4 as developed April 23, 2021; or

5 (ii) Other department of transportation operating or capital
6 expenditures funded by appropriations from state accounts in this
7 act.

8 (b) However, if the funds received may not be used for any of the
9 purposes enumerated in this section and must be obligated before the
10 next regular legislative session, then the department may program the
11 funds for other transportation-related activities, provided that
12 these actions do not initiate any new programs, policies, or
13 expenditure levels requiring additional one-time or ongoing state
14 funds that have not been expressly authorized by the legislature. The
15 department shall follow the existing unanticipated receipt process to
16 notify the legislative standing committees on transportation and the
17 office of financial management of the amount of federal funds
18 received in addition to those appropriated in this act and the
19 projects or activities receiving funding through this process.

20 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

21 To the extent that any appropriation authorizes expenditures of
22 state funds from the motor vehicle account, special category C
23 account, Tacoma Narrows toll bridge account, transportation 2003
24 account (nickel account), transportation partnership account,
25 transportation improvement account, Puget Sound capital construction
26 account, multimodal transportation account, state route number 520
27 corridor account, connecting Washington account, or other
28 transportation capital project account in the state treasury for a
29 state transportation program that is specified to be funded with
30 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
31 legislature declares that any such expenditures made before the issue
32 date of the applicable transportation bonds for that state
33 transportation program are intended to be reimbursed from proceeds of
34 those transportation bonds in a maximum amount equal to the amount of
35 such appropriation.

36 NEW SECTION. **Sec. 603. BELATED CLAIMS**

37 The agencies and institutions of the state may expend moneys
38 appropriated in this act, upon approval of the office of financial

1 management, for the payment of supplies and services furnished to the
2 agency or institution in prior fiscal biennia.

3 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

4 (1) As part of its 2022 supplemental budget submittal, the
5 department of transportation shall provide a report to the
6 legislature and the office of financial management that:

7 (a) Identifies, by capital project, the amount of state funding
8 that has been reappropriated from the 2019-2021 fiscal biennium into
9 the 2021-2023 fiscal biennium; and

10 (b) Identifies, for each project, the amount of cost savings or
11 increases in funding that have been identified as compared to the
12 2017 enacted omnibus transportation appropriations act.

13 (2) As part of the agency request for capital programs, the
14 department shall load reappropriations separately from funds that
15 were assumed to be required for the 2021-2023 fiscal biennium into
16 budgeting systems.

17 NEW SECTION. **Sec. 605. WEBSITE REPORTING REQUIREMENTS**

18 (1) The department of transportation shall post on its website
19 every report that is due from the department to the legislature
20 during the 2021-2023 fiscal biennium on one web page. The department
21 must post both completed reports and planned reports on a single web
22 page.

23 (2) The department shall provide a web link for each change order
24 that is more than five hundred thousand dollars on the affected
25 project web page.

26 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
27 **ELEMENTS REPORTING**

28 (1) By November 15th of each year, the department of
29 transportation must report on amounts expended to benefit transit,
30 bicycle, or pedestrian elements within all connecting Washington
31 projects in programs I, P, and Z identified in LEAP Transportation
32 Document 2021-2 ALL PROJECTS as developed April 23, 2021. The report
33 must address each modal category separately and identify if
34 eighteenth amendment protected funds have been used and, if not, the
35 source of funding.

36 (2) To facilitate the report in subsection (1) of this section,
37 the department of transportation must require that all bids on

1 connecting Washington projects include an estimate on the cost to
2 implement any transit, bicycle, or pedestrian project elements.

3 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

4 (1) During the 2021-2023 fiscal biennium, while the legislature
5 is not in session, the director of the office of financial management
6 may approve project scope change requests to connecting Washington
7 projects in the highway improvements program, provided that the
8 requests meet the criteria outlined in RCW 47.01.480 and are subject
9 to the limitations in this section.

10 (2) At the time the department of transportation submits a
11 request for a project scope change under this section, a copy of the
12 request must be submitted to the transportation committees of the
13 legislature.

14 (3) Before approval, the office of financial management shall
15 work with legislative staff of the house of representatives and
16 senate transportation committees to review the requested project
17 scope changes.

18 (4) No fewer than ten days after the receipt of a scope change
19 request, the director of the office of financial management must
20 provide written notification to the department of any decision
21 regarding project scope changes, with copies submitted to the
22 transportation committees of the legislature.

23 (5) As part of its annual budget submittal, the department of
24 transportation must report on all approved scope change requests from
25 the prior year, including a comparison of the scope before and after
26 the requested change.

27 NEW SECTION. **Sec. 608. TOLL CREDITS**

28 The department of transportation may provide up to three million
29 dollars in toll credits to Kitsap transit for its role in passenger-
30 only ferry service and ferry corridor-related projects. The number of
31 toll credits provided must be equal to, but no more than, the number
32 sufficient to meet federal match requirements for grant funding for
33 passenger-only ferry service, but must not exceed the amount
34 authorized in this section.

35 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

36 NEW SECTION. **Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

1 (1) Agencies must apply to the office of financial management and
2 the office of the state chief information officer for approval before
3 beginning a project or proceeding with each discrete stage of a
4 project subject to this section. At each stage, the office of the
5 state chief information officer must certify that the project has an
6 approved technology budget and investment plan, complies with state
7 information technology and security requirements, and other policies
8 defined by the office of the state chief information officer. The
9 office of financial management must notify the fiscal committees of
10 the legislature of the receipt of each application and may not
11 approve a funding request for ten business days from the date of
12 notification.

13 (2) (a) Each project must have a technology budget. The technology
14 budget must have the detail by fiscal month for the 2021-2023 fiscal
15 biennium. The technology budget must use a method similar to the
16 state capital budget, identifying project costs, each fund source,
17 and anticipated deliverables through each stage of the entire project
18 investment and across fiscal periods and biennia from project onset
19 through implementation and close out, as well as at least five years
20 of maintenance and operations costs.

21 (b) As part of the development of a technology budget and at each
22 request for funding, the agency shall submit an updated technology
23 budget, if changes occurred, to include detailed financial
24 information to the office of financial management and the office of
25 the chief information officer. The technology budget must describe
26 the total cost of the project, as well as maintenance and operations
27 costs, to include and identify at least:

28 (i) Fund sources;

29 (ii) Full time equivalent staffing level to include job
30 classification assumptions;

31 (iii) Discrete financial budget codes to include at least the
32 appropriation index and program index;

33 (iv) Object and subobject codes of expenditures;

34 (v) Anticipated deliverables;

35 (vi) Historical budget and expenditure detail by fiscal year; and

36 (vii) Maintenance and operations costs by fiscal year for at
37 least five years as a separate worksheet.

38 (c) If a project technology budget changes and a revised
39 technology budget is completed, a comparison of the revised
40 technology budget to the last approved technology budget must be

1 posted to the dashboard, to include a narrative rationale on what
2 changed, why, and how that impacts the project in scope, budget, and
3 schedule.

4 (3) (a) Each project must have an investment plan that includes:

5 (i) An organizational chart of the project management team that
6 identifies team members and their roles and responsibilities;

7 (ii) The office of the chief information officer staff assigned
8 to the project;

9 (iii) An implementation schedule covering activities, critical
10 milestones, and deliverables at each stage of the project for the
11 life of the project at each agency affected by the project;

12 (iv) Performance measures used to determine that the project is
13 on time, within budget, and meeting expectations for quality of work
14 product;

15 (v) Ongoing maintenance and operations cost of the project post
16 implementation and close out delineated by agency staffing,
17 contracted staffing, and service level agreements; and

18 (vi) Financial budget coding to include at least discrete
19 financial coding for the project.

20 (4) Projects with estimated costs greater than \$100,000,000 from
21 initiation to completion and implementation may be divided into
22 discrete subprojects as determined by the office of the state chief
23 information officer. Each subproject must have a technology budget
24 and investment plan as provided in this section.

25 (5) (a) The office of the chief information officer shall maintain
26 an information technology project dashboard that provides updated
27 information each fiscal month on projects subject to this section.
28 This includes, at least:

29 (i) Project changes each fiscal month;

30 (ii) Noting if the project has a completed market requirements
31 document, and when it was completed;

32 (iii) Financial status of information technology projects under
33 oversight;

34 (iv) Coordination with agencies;

35 (v) Monthly quality assurance reports, if applicable;

36 (vi) Monthly office of the chief information officer status
37 reports;

38 (vii) Historical project budget and expenditures through fiscal
39 year 2021;

40 (viii) Budget and expenditures each fiscal month;

1 (ix) Estimated annual maintenance and operations costs by fiscal
2 year; and

3 (x) Posting monthly project status assessments on scope,
4 schedule, budget, and overall by the:

5 (A) Office of the chief information officer;
6 (B) Agency project team; and
7 (C) Quality assurance vendor, if applicable to the project.

8 (b) The dashboard must retain a roll up of the entire project
9 cost, including all subprojects, that can display subproject detail.
10 This includes coalition projects that are active.

11 (6) If the project affects more than one agency:

12 (a) A separate technology budget and investment plan must be
13 prepared for each agency; and

14 (b) The dashboard must contain a statewide project technology
15 budget roll up that includes each affected agency at the subproject
16 level.

17 (7) For any project that exceeds \$2,000,000 in total funds to
18 complete, requires more than one biennium to complete, or is financed
19 through financial contracts, bonds, or other indebtedness:

20 (a) Quality assurance for the project must report independently
21 to the office of the chief information officer;

22 (b) The office of the chief information officer must review, and,
23 if necessary, revise the proposed project to ensure it is flexible
24 and adaptable to advances in technology;

25 (c) The technology budget must specifically identify the uses of
26 any financing proceeds. No more than 30 percent of the financing
27 proceeds may be used for payroll-related costs for state employees
28 assigned to project management, installation, testing, or training;

29 (d) The agency must consult with the office of the state
30 treasurer during the competitive procurement process to evaluate
31 early in the process whether products and services to be solicited
32 and the responsive bids from a solicitation may be financed; and

33 (e) The agency must consult with the contracting division of the
34 department of enterprise services for a review of all contracts and
35 agreements related to the project's information technology
36 procurements.

37 (8) The office of the chief information officer must evaluate the
38 project at each stage and certify whether the project is planned,
39 managed, and meeting deliverable targets as defined in the project's
40 approved technology budget and investment plan.

1 (9) The office of the chief information officer may suspend or
2 terminate a project at any time if it determines that the project is
3 not meeting or not expected to meet anticipated performance and
4 technology outcomes. Once suspension or termination occurs, the
5 agency shall unallot any unused funding and shall not make any
6 expenditure for the project without the approval of the office of
7 financial management. The office of the chief information officer
8 must report on July 1st and December 1st each calendar year any
9 suspension or termination of a project in the previous six-month
10 period to the legislative fiscal committees.

11 (10) The office of the chief information officer, in consultation
12 with the office of financial management, may identify additional
13 projects to be subject to this section, including projects that are
14 not separately identified within an agency budget. The office of the
15 chief information officer must report on July 1st and December 1st
16 each calendar year any additional projects to be subjected to this
17 section that were identified in the previous six-month period to the
18 legislative fiscal committees.

19 (11) The following transportation projects are subject to the
20 conditions, limitations, and review provided in this section:

21 (a) For the Washington state patrol: Aerial criminal
22 investigation tools;

23 (b) For the department of licensing: Website accessibility and
24 usability; and

25 (c) For the department of transportation: Maintenance management
26 system, land mobile radio system replacement, new csc system and
27 operator, PROPEL - WSDOT support of one Washington, and capital
28 systems replacement.

29 NEW SECTION. **Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES**
30 **THROUGH FINANCIAL CONTRACTS**

31 (1) The department of transportation is authorized, subject to
32 the conditions in section 305(2) of this act, to enter into a
33 financing contract pursuant to chapter 39.94 RCW through the state
34 treasurer's lease-purchase program for the purposes indicated. The
35 department may use any funds, appropriated or nonappropriated, in not
36 more than the principal amounts indicated, plus financing expenses
37 and required reserves, if any. Expenditures made by the department of
38 transportation for the indicated purposes before the issue date of
39 the authorized financing contract and any certificates of

1 participation therein may be reimbursed from proceeds of the
2 financing contract and any certificates of participation therein to
3 the extent provided in the agency's financing plan approved by the
4 state finance committee.

5 (2) Department of transportation: Enter into a financing contract
6 for up to \$32,500,000 plus financing expenses and required reserves
7 pursuant to chapter 39.94 RCW to renovate the existing office
8 building at 15700 Dayton Ave N, Shoreline. If the department of
9 transportation has entered into a financing agreement for the
10 purposes specified in this subsection prior to June 30, 2021, this
11 subsection has no force and effect.

12 **Sec. 703.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to
13 read as follows:

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

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

27 (3) All state agencies using biodiesel fuel shall, beginning on
28 July 1, 2016, file annual reports with the department of enterprise
29 services documenting the use of the fuel and a description of how any
30 problems encountered were resolved.

31 (4) By December 1, 2009, the department of enterprise services
32 shall:

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

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

38 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal
39 biennia, the Washington state ferries is required to use a minimum of

1 five percent biodiesel as compared to total volume of all diesel
2 purchases made by the Washington state ferries for the operation of
3 the Washington state ferries diesel-powered vessels, as long as the
4 price of a B5 or B10 biodiesel blend does not exceed the price of
5 conventional diesel fuel by five percent or more.

6 **Sec. 704.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to
7 read as follows:

8 (1) The ignition interlock device revolving account program is
9 created within the department to assist in covering the monetary
10 costs of installing, removing, and leasing an ignition interlock
11 device, and applicable licensing, for indigent persons who are
12 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
13 ignition interlock device in all vehicles owned or operated by the
14 person. For purposes of this subsection, "indigent" has the same
15 meaning as in RCW 10.101.010, as determined by the department. During
16 the 2019-2021 and 2021-2023 fiscal (~~(biennium)~~) biennia, the ignition
17 interlock device revolving account program also includes ignition
18 interlock enforcement work conducted by the Washington state patrol.

19 (2) A pilot program is created within the ignition interlock
20 device revolving account program for the purpose of monitoring
21 compliance by persons required to use ignition interlock devices and
22 by ignition interlock companies and vendors.

23 (3) The department, the state patrol, and the Washington traffic
24 safety commission shall coordinate to establish a compliance pilot
25 program that will target at least one county from eastern Washington
26 and one county from western Washington, as determined by the
27 department, state patrol, and Washington traffic safety commission.

28 (4) At a minimum, the compliance pilot program shall:

29 (a) Review the number of ignition interlock devices that are
30 required to be installed in the targeted county and the number of
31 ignition interlock devices actually installed;

32 (b) Work to identify those persons who are not complying with
33 ignition interlock requirements or are repeatedly violating ignition
34 interlock requirements; and

35 (c) Identify ways to track compliance and reduce noncompliance.

36 (5) As part of monitoring compliance, the Washington traffic
37 safety commission shall also track recidivism for violations of RCW
38 46.61.502 and 46.61.504 by persons required to have an ignition
39 interlock driver's license under RCW 46.20.385 and 46.20.720.

1 **Sec. 705.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to
2 read as follows:

3 (1)(a) A tax is imposed on the privilege of possession of
4 hazardous substances in this state. Except as provided in (b) of this
5 subsection, the rate of the tax is seven-tenths of one percent
6 multiplied by the wholesale value of the substance. Moneys collected
7 under this subsection (1)(a) must be deposited in the model toxics
8 control capital account.

9 (b) Beginning July 1, 2019, the rate of the tax on petroleum
10 products is one dollar and nine cents per barrel. The tax collected
11 under this subsection (1)(b) on petroleum products must be deposited
12 as follows, after first depositing the tax as provided in (c) of this
13 subsection (~~((1))~~), except that during the 2021-2023 biennium the
14 deposit as provided in (c) of this subsection may be prorated equally
15 across each month of the biennium:

16 (i) Sixty percent to the model toxics control operating account
17 created under RCW 70A.305.180;

18 (ii) Twenty-five percent to the model toxics control capital
19 account created under RCW 70A.305.190; and

20 (iii) Fifteen percent to the model toxics control stormwater
21 account created under RCW 70A.305.200.

22 (c) Until the beginning of the ensuing biennium after the
23 enactment of an additive transportation funding act, fifty million
24 dollars per biennium to the motor vehicle fund to be used exclusively
25 for transportation stormwater activities and projects. For purposes
26 of this subsection, "additive transportation funding act" means an
27 act in which the combined total of new revenues deposited into the
28 motor vehicle fund and the multimodal transportation account exceed
29 two billion dollars per biennium attributable solely to an increase
30 in revenue from the enactment of the act.

31 (d) The department must compile a list of petroleum products that
32 are not easily measured on a per barrel basis. Petroleum products
33 identified on the list are subject to the rate under (a) of this
34 subsection in lieu of the volumetric rate under (b) of this
35 subsection. The list will be made in a form and manner prescribed by
36 the department and must be made available on the department's
37 internet website. In compiling the list, the department may accept
38 technical assistance from persons that sell, market, or distribute
39 petroleum products and consider any other resource the department
40 finds useful in compiling the list.

1 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.
2 The tax due dates, reporting periods, and return requirements
3 applicable to chapter 82.04 RCW apply equally to the tax imposed in
4 this chapter.

5 (3) Beginning July 1, 2020, and every July 1st thereafter, the
6 rate specified in subsection (1)(b) of this section must be adjusted
7 to reflect the percentage change in the implicit price deflator for
8 nonresidential structures as published by the United States
9 department of commerce, bureau of economic analysis for the most
10 recent twelve-month period ending December 31st of the prior year.

11 **Sec. 706.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to
12 read as follows:

13 There is hereby created in the state treasury a fund to be known
14 as the highway safety fund to the credit of which must be deposited
15 all moneys directed by law to be deposited therein. This fund must be
16 used for carrying out the provisions of law relating to driver
17 licensing, driver improvement, financial responsibility, cost of
18 furnishing abstracts of driving records and maintaining such case
19 records, and to carry out the purposes set forth in RCW 43.59.010,
20 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017
21 fiscal biennia, the legislature may transfer from the highway safety
22 fund to the Puget Sound ferry operations account, the motor vehicle
23 fund, and the multimodal transportation account such amounts as
24 reflect the excess fund balance of the highway safety fund. During
25 the ~~((and the))~~ 2017-2019, 2019-2021, and 2021-2023 fiscal biennia,
26 the legislature may direct the state treasurer to make transfers of
27 moneys in the highway safety fund to the multimodal transportation
28 account and the state patrol highway account.

29 **Sec. 707.** RCW 47.12.370 and 2003 c 187 s 1 are each amended to
30 read as follows:

31 (1) The department may enter into exchange agreements with local,
32 state, or federal agencies, tribal governments, or private nonprofit
33 nature conservancy corporations as defined in RCW 64.04.130, to
34 convey properties under the jurisdiction of the department that serve
35 as environmental mitigation sites, as full or part consideration for
36 the grantee assuming all future maintenance and operation obligations
37 and costs required to maintain and operate the environmental
38 mitigation site in perpetuity.

1 (2) (~~Tribal~~) (a) Except as provided in (b) of this subsection,
2 tribal governments shall only be eligible to participate in an
3 exchange agreement if they:

4 (~~(a)~~) (i) Provide the department with a valid waiver of their
5 tribal sovereign immunity from suit. The waiver must allow the
6 department to enforce the terms of the exchange agreement or
7 quitclaim deed in state court; and

8 (~~(b)~~) (ii) Agree that the property shall not be placed into
9 trust status.

10 (b) During the 2021-2023 fiscal biennium, the restrictions in (a)
11 of this subsection do not apply to any exchange agreement with a
12 tribal government for the acquisition of real property required by
13 the department for the SR 167/SR 509 Puget Sound Gateway project.

14 (3) The conveyances must be by quitclaim deed, or other form of
15 conveyance, executed by the secretary of transportation, and must
16 expressly restrict the use of the property to a mitigation site
17 consistent with preservation of the functions and values of the site,
18 and must provide for the automatic reversion to the department if the
19 property is not used as a mitigation site or is not maintained in a
20 manner that complies with applicable permits, laws, and regulations
21 pertaining to the maintenance and operation of the mitigation site.

22 **Sec. 708.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to
23 read as follows:

24 (1) The rural mobility grant program account is created in the
25 state treasury. Moneys in the account may be spent only after
26 appropriation. Expenditures from the account may be used only for the
27 grants provided under RCW 47.66.100.

28 (2) Beginning September 2011, by the last day of September,
29 December, March, and June of each year, the state treasurer shall
30 transfer from the multimodal transportation account to the rural
31 mobility grant program account two million five hundred thousand
32 dollars.

33 (3) During the 2015-2017 fiscal biennium, the legislature may
34 transfer from the rural mobility grant program account to the
35 multimodal transportation account such amounts as reflect the excess
36 fund balance of the rural mobility grant program account.

37 (4) During the 2017-2019 (~~and the~~), 2019-2021, and 2021-2023
38 fiscal biennia, the legislature may direct the state treasurer to

1 make transfers of moneys in the rural mobility grant program account
2 to the multimodal transportation account.

3 **Sec. 709.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to
4 read as follows:

5 A special account to be known as the state route number 520 civil
6 penalties account is created in the state treasury. All state route
7 number 520 bridge replacement and HOV program civil penalties
8 generated from the nonpayment of tolls on the state route number 520
9 corridor must be deposited into the account, as provided under RCW
10 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
11 appropriation. Expenditures from the account may be used to fund any
12 project within the state route number 520 bridge replacement and HOV
13 program, including mitigation. During the 2013-2015 and 2015-2017
14 fiscal biennia, the legislature may transfer from the state route
15 number 520 civil penalties account to the state route number 520
16 corridor account such amounts as reflect the excess fund balance of
17 the state route number 520 civil penalties account. Funds transferred
18 must be used solely for capital expenditures for the state route
19 number 520 bridge replacement and HOV project. During the 2017-2019
20 and the 2019-2021 fiscal biennia, the legislature may direct the
21 state treasurer to make transfers of moneys in the state route number
22 520 civil penalties account to the state route number 520 corridor
23 account. During the 2021-2023 fiscal biennium, the legislature may
24 direct the state treasurer to transfer moneys in the state route
25 number 520 civil penalties account to the motor vehicle account.

26 **Sec. 710.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to
27 read as follows:

28 The license plate technology account is created in the state
29 treasury. All receipts collected under RCW 46.17.015 must be
30 deposited into this account. Expenditures from this account must
31 support current and future license plate technology and systems
32 integration upgrades for both the department and correctional
33 industries. Moneys in the account (~~((fund))~~) may be spent only after
34 appropriation. Additionally, the moneys in this account may be used
35 to reimburse the motor vehicle account for any appropriation made to
36 implement the digital license plate system. During the 2011-2013 and
37 2013-2015 fiscal biennia, the legislature may transfer from the
38 license plate technology account to the highway safety (~~(account~~

1 ~~{fund}}~~) fund such amounts as reflect the excess fund balance of the
2 license plate technology account. During the 2019-2021 (~~biennium~~)
3 and 2021-2023 biennia, the account may also be used for the
4 maintenance of recently modernized information technology systems for
5 vehicle registrations.

6 **Sec. 711.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to
7 read as follows:

8 The freight mobility investment account is hereby created in the
9 state treasury. Money in the account may be spent only after
10 appropriation. Expenditures from the account may be used only for
11 freight mobility projects that have been approved by the freight
12 mobility strategic investment board in RCW 47.06A.020 and may include
13 any principal and interest on bonds authorized for the projects or
14 improvements. During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
15 biennia, the expenditures from the account may also be used for the
16 administrative expenses of the freight mobility strategic investment
17 board.

18 **Sec. 712.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
19 read as follows:

20 (1) The capital vessel replacement account is created in the
21 motor vehicle fund. All revenues generated from the vessel
22 replacement surcharge under RCW 47.60.315(7) and service fees
23 collected by the department of licensing or county auditor or other
24 agent appointed by the director under RCW 46.17.040, 46.17.050, and
25 46.17.060 must be deposited into the account. Moneys in the account
26 may be spent only after appropriation. Expenditures from the account
27 may be used only for the construction or purchase of ferry vessels
28 and to pay the principal and interest on bonds authorized for the
29 construction or purchase of ferry vessels. However, expenditures from
30 the account must first be used to support the construction or
31 purchase, including any applicable financing costs, of a ferry vessel
32 with a carrying capacity of at least one hundred forty-four cars.

33 (2) The state treasurer may transfer moneys from the capital
34 vessel replacement account to the transportation 2003 account (nickel
35 account) for debt service on bonds issued for the construction of
36 144-car class ferry vessels.

37 (3) The legislature may transfer from the capital vessel
38 replacement account to the connecting Washington account created

1 under RCW 46.68.395 such amounts as reflect the excess fund balance
2 of the capital vessel replacement account to be used for ferry
3 terminal construction and preservation.

4 (4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~)
5 biennia, the legislature may direct the state treasurer to make
6 transfers of moneys in the capital vessel replacement account to the
7 transportation partnership account and the connecting Washington
8 account.

9 **Sec. 713.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to
10 read as follows:

11 (1) The transportation partnership account is hereby created in
12 the state treasury. All distributions to the account from RCW
13 46.68.090 must be deposited into the account. Money in the account
14 may be spent only after appropriation. Expenditures from the account
15 must be used only for projects or improvements identified as 2005
16 transportation partnership projects or improvements in the omnibus
17 transportation appropriations act, including any principal and
18 interest on bonds authorized for the projects or improvements.

19 (2) The legislature finds that:

20 (a) Citizens demand and deserve accountability of transportation-
21 related programs and expenditures. Transportation-related programs
22 must continuously improve in quality, efficiency, and effectiveness
23 in order to increase public trust;

24 (b) Transportation-related agencies that receive tax dollars must
25 continuously improve the way they operate and deliver services so
26 citizens receive maximum value for their tax dollars; and

27 (c) Fair, independent, comprehensive performance audits of
28 transportation-related agencies overseen by the elected state auditor
29 are essential to improving the efficiency, economy, and effectiveness
30 of the state's transportation system.

31 (3) For purposes of chapter 314, Laws of 2005:

32 (a) "Performance audit" means an objective and systematic
33 assessment of a state agency or agencies or any of their programs,
34 functions, or activities by the state auditor or designee in order to
35 help improve agency efficiency, effectiveness, and accountability.
36 Performance audits include economy and efficiency audits and program
37 audits.

38 (b) "Transportation-related agency" means any state agency,
39 board, or commission that receives funding primarily for

1 transportation-related purposes. At a minimum, the department of
2 transportation, the transportation improvement board or its successor
3 entity, the county road administration board or its successor entity,
4 and the traffic safety commission are considered transportation-
5 related agencies. The Washington state patrol and the department of
6 licensing shall not be considered transportation-related agencies
7 under chapter 314, Laws of 2005.

8 (4) Within the authorities and duties under chapter 43.09 RCW,
9 the state auditor shall establish criteria and protocols for
10 performance audits. Transportation-related agencies shall be audited
11 using criteria that include generally accepted government auditing
12 standards as well as legislative mandates and performance objectives
13 established by state agencies. Mandates include, but are not limited
14 to, agency strategies, timelines, program objectives, and mission and
15 goals as required in RCW 43.88.090.

16 (5) Within the authorities and duties under chapter 43.09 RCW,
17 the state auditor may conduct performance audits for transportation-
18 related agencies. The state auditor shall contract with private firms
19 to conduct the performance audits.

20 (6) The audits may include:

21 (a) Identification of programs and services that can be
22 eliminated, reduced, consolidated, or enhanced;

23 (b) Identification of funding sources to the transportation-
24 related agency, to programs, and to services that can be eliminated,
25 reduced, consolidated, or enhanced;

26 (c) Analysis of gaps and overlaps in programs and services and
27 recommendations for improving, dropping, blending, or separating
28 functions to correct gaps or overlaps;

29 (d) Analysis and recommendations for pooling information
30 technology systems used within the transportation-related agency, and
31 evaluation of information processing and telecommunications policy,
32 organization, and management;

33 (e) Analysis of the roles and functions of the transportation-
34 related agency, its programs, and its services and their compliance
35 with statutory authority and recommendations for eliminating or
36 changing those roles and functions and ensuring compliance with
37 statutory authority;

38 (f) Recommendations for eliminating or changing statutes, rules,
39 and policy directives as may be necessary to ensure that the

1 transportation-related agency carry out reasonably and properly those
2 functions vested in the agency by statute;

3 (g) Verification of the reliability and validity of
4 transportation-related agency performance data, self-assessments, and
5 performance measurement systems as required under RCW 43.88.090;

6 (h) Identification of potential cost savings in the
7 transportation-related agency, its programs, and its services;

8 (i) Identification and recognition of best practices;

9 (j) Evaluation of planning, budgeting, and program evaluation
10 policies and practices;

11 (k) Evaluation of personnel systems operation and management;

12 (l) Evaluation of purchasing operations and management policies
13 and practices;

14 (m) Evaluation of organizational structure and staffing levels,
15 particularly in terms of the ratio of managers and supervisors to
16 nonmanagement personnel; and

17 (n) Evaluation of transportation-related project costs, including
18 but not limited to environmental mitigation, competitive bidding
19 practices, permitting processes, and capital project management.

20 (7) Within the authorities and duties under chapter 43.09 RCW,
21 the state auditor must provide the preliminary performance audit
22 reports to the audited state agency for comment. The auditor also may
23 seek input on the preliminary report from other appropriate
24 officials. Comments must be received within thirty days after receipt
25 of the preliminary performance audit report unless a different time
26 period is approved by the state auditor. The final performance audit
27 report shall include the objectives, scope, and methodology; the
28 audit results, including findings and recommendations; the agency's
29 response and conclusions; and identification of best practices.

30 (8) The state auditor shall provide final performance audit
31 reports to the citizens of Washington, the governor, the joint
32 legislative audit and review committee, the appropriate legislative
33 committees, and other appropriate officials. Final performance audit
34 reports shall be posted on the internet.

35 (9) The audited transportation-related agency is responsible for
36 follow-up and corrective action on all performance audit findings and
37 recommendations. The audited agency's plan for addressing each audit
38 finding and recommendation shall be included in the final audit
39 report. The plan shall provide the name of the contact person
40 responsible for each action, the action planned, and the anticipated

1 completion date. If the audited agency does not agree with the audit
2 findings and recommendations or believes action is not required, then
3 the action plan shall include an explanation and specific reasons.

4 The office of financial management shall require periodic
5 progress reports from the audited agency until all resolution has
6 occurred. The office of financial management is responsible for
7 achieving audit resolution. The office of financial management shall
8 annually report by December 31st the status of performance audit
9 resolution to the appropriate legislative committees and the state
10 auditor. The legislature shall consider the performance audit results
11 in connection with the state budget process.

12 The auditor may request status reports on specific audits or
13 findings.

14 (10) For the period from July 1, 2005, until June 30, 2007, the
15 amount of \$4,000,000 is appropriated from the transportation
16 partnership account to the state auditors office for the purposes of
17 subsections (2) through (9) of this section.

18 (11) During the 2015-2017 fiscal biennium, the legislature may
19 transfer from the transportation partnership account to the
20 connecting Washington account such amounts as reflect the excess fund
21 balance of the transportation partnership account.

22 (12) During (~~the 2017-2019 and~~) the 2019-2021 and 2021-2023
23 fiscal biennia, the legislature may direct the state treasurer to
24 make transfers of moneys in the transportation partnership account to
25 the connecting Washington account, the motor vehicle fund, the Tacoma
26 Narrows toll bridge account, and the capital vessel replacement
27 account.

28 **Sec. 714.** RCW 46.68.063 and 2019 c 416 s 712 are each amended to
29 read as follows:

30 The department of licensing technology improvement and data
31 management account is created in the highway safety fund. All
32 receipts from fees collected under RCW 46.12.630(5) must be deposited
33 into the account. Expenditures from the account may be used only for
34 investments in technology and data management at the department.
35 During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account
36 may also be used for responding to public records requests. Moneys in
37 the account may be spent only after appropriation.

1 **Sec. 715.** RCW 47.60.530 and 2017 c 313 s 714 are each amended to
2 read as follows:

3 (1) The Puget Sound ferry operations account is created in the
4 motor vehicle fund.

5 (2) The following funds must be deposited into the account:

6 (a) All moneys directed by law;

7 (b) All revenues generated from ferry fares; and

8 (c) All revenues generated from commercial advertising,
9 concessions, parking, and leases as allowed under RCW 47.60.140.

10 (3) Moneys in the account may be spent only after appropriation.

11 (4) Expenditures from the account may be used only for the
12 maintenance, administration, and operation of the Washington state
13 ferry system.

14 (5) During the 2015-2017 fiscal biennium, the legislature may
15 transfer from the Puget Sound ferry operations account to the
16 connecting Washington account such amounts as reflect the excess fund
17 balance of the Puget Sound ferry operations account.

18 (6) During the 2017-2019 fiscal biennium, the legislature may
19 direct the state treasurer to make transfers of moneys in the Puget
20 Sound ferry operations account to the connecting Washington account.

21 (7) During the 2021-2023 fiscal biennium, the legislature may
22 direct the state treasurer to make transfers of moneys in the Puget
23 Sound ferry operations account to the Puget Sound capital
24 construction account.

25 **Sec. 716.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to
26 read as follows:

27 (1) The commission shall adopt fares and pricing policies by
28 rule, under chapter 34.05 RCW, according to the following schedule:

29 (a) Each year the department shall provide the commission a
30 report of its review of fares and pricing policies, with
31 recommendations for the revision of fares and pricing policies for
32 the ensuing year;

33 (b) By September 1st of each year, beginning in 2008, the
34 commission shall adopt by rule fares and pricing policies for the
35 ensuing year.

36 (2) The commission may adopt by rule fares that are effective for
37 more or less than one year for the purposes of transitioning to the
38 fare schedule in subsection (1) of this section.

1 (3) The commission may increase ferry fares included in the
2 schedule of charges adopted under this section by a percentage that
3 exceeds the fiscal growth factor.

4 (4) The chief executive officer of the ferry system may authorize
5 the use of promotional, discounted, and special event fares to the
6 general public and commercial enterprises for the purpose of
7 maximizing capacity use and the revenues collected by the ferry
8 system. The department shall report to the commission a summary of
9 the promotional, discounted, and special event fares offered during
10 each fiscal year and the financial results from these activities.

11 (5) Fare revenues and other revenues deposited in the Puget Sound
12 ferry operations account created in RCW 47.60.530 may not be used to
13 support the Puget Sound capital construction account created in RCW
14 47.60.505, unless the support for capital is separately identified in
15 the fare or except as provided in section 715 of this act during the
16 2021-2023 biennium.

17 (6) The commission may not raise fares until the fare rules
18 contain pricing policies developed under RCW 47.60.290, or September
19 1, 2009, whichever is later.

20 (7) The commission shall impose a vessel replacement surcharge of
21 twenty-five cents on every one-way and round-trip ferry fare sold,
22 including multiride and monthly pass fares. This surcharge must be
23 clearly indicated to ferry passengers and drivers and, if possible,
24 on the fare media itself.

25 (8) Except as provided in subsection (10) of this section,
26 beginning May 1, 2020, the commission shall impose an additional
27 vessel replacement surcharge in an amount sufficient to fund twenty-
28 five year debt service on one 144-auto hybrid vessel taking into
29 account funds provided in chapter 417, Laws of 2019 or chapter . . .
30 (SSB 5419), Laws of 2019. The department of transportation shall
31 provide to the commission vessel and debt service cost estimates.
32 Information on vessels constructed or purchased with revenue from the
33 surcharges must be publicly posted including, but not limited to, the
34 commission web site.

35 (9) The vessel replacement surcharges imposed in this section may
36 only be used for the construction or purchase of ferry vessels and to
37 pay the principal and interest on bonds authorized for the
38 construction or purchase of new ferry vessels.

1 (10) The commission shall not impose the additional vessel
2 replacement surcharge in subsection (8) of this section if doing so
3 would increase fares by more than ten percent.

4 **Sec. 717.** RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each
5 amended to read as follows:

6 (1) If an agency for good cause finds:

7 (a) That immediate adoption, amendment, or repeal of a rule is
8 necessary for the preservation of the public health, safety, or
9 general welfare, and that observing the time requirements of notice
10 and opportunity to comment upon adoption of a permanent rule would be
11 contrary to the public interest;

12 (b) That state or federal law or federal rule or a federal
13 deadline for state receipt of federal funds requires immediate
14 adoption of a rule; or

15 (c) In order to implement the requirements or reductions in
16 appropriations enacted in any budget for fiscal year 2009, 2010,
17 2011, 2012, (~~or~~) 2013, or in an omnibus transportation
18 appropriations act for the 2021-2023 biennium related to setting toll
19 rates or ferry fares, which necessitates the need for the immediate
20 adoption, amendment, or repeal of a rule, and that observing the time
21 requirements of notice and opportunity to comment upon adoption of a
22 permanent rule would be contrary to the fiscal needs or requirements
23 of the agency,
24 the agency may dispense with those requirements and adopt, amend, or
25 repeal the rule on an emergency basis. The agency's finding and a
26 concise statement of the reasons for its finding shall be
27 incorporated in the order for adoption of the emergency rule or
28 amendment filed with the office of the code reviser under RCW
29 34.05.380 and with the rules review committee.

30 (2) An emergency rule adopted under this section takes effect
31 upon filing with the code reviser, unless a later date is specified
32 in the order of adoption, and may not remain in effect for longer
33 than one hundred twenty days after filing. Identical or substantially
34 similar emergency rules may not be adopted in sequence unless
35 conditions have changed or the agency has filed notice of its intent
36 to adopt the rule as a permanent rule, and is actively undertaking
37 the appropriate procedures to adopt the rule as a permanent rule.
38 This section does not relieve any agency from compliance with any law

1 requiring that its permanent rules be approved by designated persons
2 or bodies before they become effective.

3 (3) Within seven days after the rule is adopted, any person may
4 petition the governor requesting the immediate repeal of a rule
5 adopted on an emergency basis by any department listed in RCW
6 43.17.010. Within seven days after submission of the petition, the
7 governor shall either deny the petition in writing, stating his or
8 her reasons for the denial, or order the immediate repeal of the
9 rule. In ruling on the petition, the governor shall consider only
10 whether the conditions in subsection (1) of this section were met
11 such that adoption of the rule on an emergency basis was necessary.
12 If the governor orders the repeal of the emergency rule, any sanction
13 imposed based on that rule is void. This subsection shall not be
14 construed to prohibit adoption of any rule as a permanent rule.

15 **Sec. 718.** 2019 c 396 s 2 (uncodified) is amended to read as
16 follows:

17 (1) The state commercial aviation coordinating commission is
18 created to carry out the functions of (~~this~~) chapter 396, Laws of
19 2019. The commission shall consist of fifteen voting members.

20 (2) The governor shall appoint thirteen voting members to
21 represent the following interests:

22 (a) Four as representatives of commercial service airports and
23 ports, one of whom shall represent a port located in a county with a
24 population of two million or more, one of whom shall represent a port
25 in eastern Washington with an airport runway of at least thirteen
26 thousand five hundred feet in length, one of whom shall represent a
27 commercial service airport in eastern Washington located in a county
28 with a population of four hundred thousand or more, and one
29 representing an association of ports;

30 (b) Three as representatives from the airline industry and the
31 private sector;

32 (c) Two citizen representatives with one appointed from eastern
33 Washington and one appointed from western Washington. The citizen
34 appointees must:

35 (i) Represent the public interests in the communities that are
36 included in the commission's site research; and

37 (ii) Understand the impacts of a large commercial aviation
38 facility on a community;

39 (d) A representative from the freight forwarding industry;

1 (e) A representative from the trucking industry;

2 (f) A representative from a community organization that
3 understands the impacts of a large commercial aviation facility on a
4 community; and

5 (g) A representative from a statewide environmental organization.

6 (3) The remaining two members shall consist of:

7 (a) A representative from the department of commerce; and

8 (b) A representative from the division of aeronautics of the
9 department of transportation.

10 (4) The commission shall invite the following nonvoting members:

11 (a) A representative from the Washington state aviation alliance;

12 (b) A representative from the department of defense;

13 (c) Two members from the senate, with one member from each of the
14 two largest caucuses in the senate, appointed by the president of the
15 senate;

16 (d) Two members from the house of representatives, with one
17 member from each of the two largest caucuses in the house of
18 representatives, appointed by the speaker of the house of
19 representatives;

20 (e) A representative from the division of aeronautics of the
21 department of transportation;

22 (f) A representative from an eastern Washington metropolitan
23 planning organization;

24 (g) A representative from a western Washington metropolitan
25 planning organization;

26 (h) A representative from an eastern Washington regional airport;
27 and

28 (i) A representative from a western Washington regional airport.

29 (5) The governor may appoint additional nonvoting members as
30 deemed appropriate.

31 (6) The commission shall select a chair from among its membership
32 and shall adopt rules related to its powers and duties under (~~this~~)
33 chapter 396, Laws of 2019.

34 (7) Legislative members of the commission are reimbursed for
35 travel expenses in accordance with RCW 44.04.120. Nonlegislative
36 members are not entitled to be reimbursed for travel expenses if they
37 are elected officials or are participating on behalf of an employer,
38 governmental entity, or other organization. Any reimbursement for
39 other nonlegislative members is subject to chapter 43.03 RCW. The

1 commission has all powers necessary to carry out its duties as
2 prescribed by (~~this~~) chapter 396, Laws of 2019.

3 (8) The department of transportation shall provide staff support
4 for coordinating and administering the commission and technical
5 assistance as requested by commission members. The department shall
6 consider cost-saving options such as using online conferencing tools.
7 Meetings shall be held in Olympia, Washington unless resources allow
8 for alternative locations.

9 (9) At the direction of the commission, and as resources allow,
10 the department of transportation is authorized to hire a consultant
11 to assist with the review and research efforts of the commission. The
12 contract is exempt from the competitive procurement requirements in
13 chapter 39.26 RCW.

14 (10) The department of transportation shall convene the initial
15 meeting of the commission as soon as practicable.

16 (11) This section expires (~~July 1, 2022~~) June 30, 2023.

17 **Sec. 719.** 2019 c 396 s 3 (uncodified) is amended to read as
18 follows:

19 (1) The state commercial aviation coordinating commission will
20 review existing data and conduct research to determine Washington's
21 long-range commercial aviation facility needs and the site of a new
22 primary commercial aviation facility. Research for each potential
23 site must include the feasibility of constructing a commercial
24 aviation facility in that location and its potential environmental,
25 community, and economic impacts. Options for a new primary commercial
26 aviation facility in Washington may include expansion of an existing
27 airport facility but may not include siting a facility on or in the
28 vicinity of a military installation that would be incompatible with
29 the installation's ability to carry out its mission requirements. The
30 work of the commission shall include the following:

31 (a) Recommendations to the legislature on future Washington state
32 long-range commercial aviation facility needs including possible
33 additional aviation facilities or expansion of current aviation
34 facilities, excluding those located in a county with a population of
35 two million or more, to meet anticipated commercial aviation, general
36 aviation, and air cargo demands; (~~and~~)

37 (b) Identifying a preferred location for a new primary commercial
38 aviation facility. The commission shall make recommendations and

1 shall select a single preferred location by a sixty percent majority
2 vote using the following process:

3 (i) Initiating a broad review of potential sites;

4 (ii) Recommending a final short list of no more than six
5 locations by (~~January 1, 2021~~) February 15, 2022;

6 (iii) Identifying the top two locations from the final six
7 locations by (~~September 1, 2021~~) October 15, 2022; and

8 (iv) Identifying a single preferred location for a new primary
9 commercial aviation facility by (~~January 1, 2022~~) February 15,
10 2023; and

11 (c) A projected timeline for the development of an additional
12 commercial aviation facility that is completed and functional by
13 2040.

14 (2) The commission shall submit a report of its findings and
15 recommendations to the transportation committees of the legislature
16 by (~~January 1, 2022~~) February 15, 2023. The commission must allow a
17 minority report to be included with the commission report if
18 requested by a voting member of the commission.

19 (3) Nothing in this section shall be construed to endorse, limit,
20 or otherwise alter existing or future plans for capital development
21 and capacity enhancement at existing commercial airports in
22 Washington.

23 (4) This section expires (~~July 1, 2022~~) June 30, 2023.

24 **Sec. 720.** RCW 46.09.540 and 2013 2nd sp.s. c 23 s 10 are each
25 amended to read as follows:

26 (1) The multiuse roadway safety account is created in the motor
27 vehicle fund. All receipts from vehicle license fees under RCW
28 46.17.350(1)(r) must be deposited into the account. Moneys in the
29 account may be spent only after appropriation. Expenditures from the
30 account may be used only for grants administered by the department of
31 transportation to: (a) Counties to perform safety engineering
32 analysis of mixed vehicle use on any road within a county; (b) local
33 governments to provide funding to erect signs providing notice to the
34 motoring public that (i) wheeled all-terrain vehicles are present or
35 (ii) wheeled all-terrain vehicles may be crossing; (c) the state
36 patrol or local law enforcement for purposes of defraying the costs
37 of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (~~and~~) (d)
38 law enforcement to investigate accidents involving wheeled all-
39 terrain vehicles; and (e) during the 2021-2023 biennium grants may be

1 made to counties to (i) enhance or maintain any segment of a road
2 within the county in which the segment has been designated as part of
3 a travel or tourism route for use by wheeled all-terrain vehicles;
4 and (ii) purchase, print, develop, or use educational brochures or
5 mapping technology that aids in the safety and direction of users of
6 wheeled all-terrain vehicle routes.

7 (2) The department of transportation must prioritize grant awards
8 in the following priority order:

9 (a) For the purpose of marking highway crossings with signs
10 warning motorists that wheeled all-terrain vehicles may be crossing
11 when an ORV recreation facility parking lot is on the other side of a
12 public roadway from the actual ORV recreation facility; and

13 (b) For the purpose of marking intersections with signs where a
14 wheeled all-terrain vehicle may cross a public road to advise
15 motorists of the upcoming intersection. Such signs must conform to
16 the manual on uniform traffic control devices.

17 **Sec. 721.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to
18 read as follows:

19 (1)(a) Subject to the availability of amounts appropriated for
20 this specific purpose through the 2023-2025 biennium, the
21 department's public transportation division shall establish a green
22 transportation capital grant program. The purpose of the grant
23 program is to aid any transit authority in funding cost-effective
24 capital projects to reduce the carbon intensity of the Washington
25 transportation system, examples of which include: Electrification of
26 vehicle fleets, including battery and fuel cell electric vehicles;
27 modification or replacement of capital facilities in order to
28 facilitate fleet electrification and/or hydrogen refueling; necessary
29 upgrades to electrical transmission and distribution systems; and
30 construction of charging and fueling stations. The department's
31 public transportation division shall identify projects and shall
32 submit a prioritized list of all projects requesting funding to the
33 legislature by December 1st of each even-numbered year.

34 (b) The department's public transportation division shall select
35 projects based on a competitive process that considers the following
36 criteria:

37 (i) The cost-effectiveness of the reductions in carbon emissions
38 provided by the project; and

1 (ii) The benefit provided to transitioning the entire state to a
2 transportation system with lower carbon intensity.

3 (2) The department's public transportation division must
4 establish an advisory committee to assist in identifying projects
5 under subsection (1) of this section. The advisory committee must
6 include representatives from the department of ecology, the
7 department of commerce, the utilities and transportation commission,
8 and at least one transit authority.

9 (3) In order to receive green transportation capital grant
10 program funding for a project, a transit authority must provide
11 matching funding for that project that is at least equal to twenty
12 percent of the total cost of the project.

13 (4) The department's public transportation division must report
14 annually to the transportation committees of the legislature on the
15 status of any grant projects funded by the program created under this
16 section.

17 (5) For purposes of this section, "transit authority" means a
18 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
19 county public transportation authority under chapter 36.57 RCW, a
20 metropolitan municipal corporation transit system under chapter 36.56
21 RCW, a public transportation benefit area under chapter 36.57A RCW,
22 an unincorporated transportation benefit area under RCW 36.57.100, a
23 regional transit authority under chapter 81.112 RCW, or any special
24 purpose district formed to operate a public transportation system.

25 (6) During the 2021-2023 fiscal biennium, the department may
26 provide up to 20 percent of the total green transportation capital
27 grant program funding for zero emissions capital transition planning
28 projects.

29 **2019-2021 FISCAL BIENNIUM**

30 **GENERAL GOVERNMENT AGENCIES—OPERATING**

31 **Sec. 801.** 2019 c 416 s 101 (uncodified) is amended to read as
32 follows:

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

34 Motor Vehicle Account—State Appropriation (~~(\$545,000)~~)
35 \$536,000

1 **Sec. 802.** 2020 c 219 s 101 (uncodified) is amended to read as
2 follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

4 Motor Vehicle Account—State Appropriation	((\$1,419,000))
	<u>\$1,388,000</u>
6 Multimodal Transportation Account—State Appropriation. . . .	\$300,000
7 Puget Sound Ferry Operations Account—State Appropriation . .	\$121,000
8 TOTAL APPROPRIATION.	((\$1,840,000))
	<u>\$1,809,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: \$300,000 of the multimodal transportation
12 account—state appropriation is provided solely for the office of
13 financial management, in direct coordination with the office of state
14 treasurer, to evaluate, coordinate, and assist in efforts by state
15 agencies in developing cost recovery mechanisms for credit card and
16 other financial transaction fees currently paid from state funds.
17 This may include disbursing interagency reimbursements for the
18 implementation costs incurred by the affected agencies. As part of
19 the first phase of this effort, the office of financial management,
20 with the assistance of relevant agencies, must develop implementation
21 plans and take all necessary steps to ensure that the actual cost-
22 recovery mechanisms will be in place by January 1, 2020, for the
23 vehicles and drivers programs of the department of licensing. By
24 November 1, 2019, the office of financial management must provide a
25 report to the joint transportation committee on the phase 1
26 implementation plan and options to expand similar cost recovery
27 mechanisms to other state agencies and programs, including the
28 ferries division.

29 **Sec. 803.** 2020 c 219 s 102 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF AGRICULTURE**

32 Motor Vehicle Account—State Appropriation	((\$1,359,000))
33	<u>\$1,350,000</u>

34 **Sec. 804.** 2019 c 416 s 106 (uncodified) is amended to read as
35 follows:

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

37 Motor Vehicle Account—State Appropriation	((\$652,000))
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Sec. 805. 2020 c 219 s 104 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

Motor Vehicle Account—State Appropriation ((~~\$3,082,000~~))
\$3,052,000

Sec. 806. 2020 c 219 s 105 (uncodified) is amended to read as follows:

FOR THE SENATE

Motor Vehicle Account—State Appropriation \$2,999,000

TRANSPORTATION AGENCIES—OPERATING

Sec. 901. 2020 c 219 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation ((~~\$4,675,000~~))
\$4,647,000
Highway Safety Account—Federal Appropriation ((~~\$27,051,000~~))
\$26,943,000
Highway Safety Account—Private/Local Appropriation \$118,000
School Zone Safety Account—State Appropriation \$850,000
TOTAL APPROPRIATION. ((~~\$32,694,000~~))
\$32,558,000

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

(1) \$150,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2019 (Cooper Jones Active Transportation Safety Council). If chapter 54, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

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

(a) Any programs authorized by the commission must be authorized by December 31, 2020.

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

6 (c) Any city administering a pilot program overseen by the
7 traffic safety commission shall use the following guidelines to
8 administer the program:

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

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

18 (iii) Cities testing the use of automated vehicle noise
19 enforcement cameras must post information on the city web site and
20 notify local media outlets indicating the zones in which the
21 automated vehicle noise enforcement cameras will be used;

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

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

30 (vi) Notwithstanding any other provision of law, all photographs,
31 videos, microphotographs, audio recordings, or electronic images
32 prepared under this section are for the exclusive use of law
33 enforcement in the discharge of duties under this section and are not
34 open to the public and may not be used in a court in a pending action
35 or proceeding. No photograph, microphotograph, audio recording, or
36 electronic image may be used for any purpose other than the issuance
37 of warnings for violations under this section or retained longer than
38 necessary to issue a warning notice as required under this subsection
39 (2); and

1 (vii) By June 30, 2021, the participating cities shall provide a
2 report to the commission and appropriate committees of the
3 legislature regarding the use, public acceptance, outcomes, warnings
4 issued, data retention and use, and other relevant issues regarding
5 automated vehicle noise enforcement cameras demonstrated by the pilot
6 projects.

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

24 For purposes of the demonstration project, an automated
25 enforcement technology device may record an image of a driver and
26 passenger of a motor vehicle. The county and PTBA must erect signs
27 marking the locations where the automated enforcement for HOV
28 passenger requirements is occurring.

29 The PTBA, in consultation with the Washington traffic safety
30 commission, must provide a report to the transportation committees of
31 the legislature with the number of violations detected during the
32 demonstration project, whether the technology used was accurate and
33 any recommendations for future use of automated enforcement
34 technology for HOV lane enforcement by June 30, 2021.

35 (4) (a) The Washington traffic safety commission shall coordinate
36 with each city that implements a pilot program as authorized in
37 chapter 224, Laws of 2020 (automated traffic safety cameras) or
38 chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020
39 (automated traffic safety cameras) to provide the transportation

1 committees of the legislature with the following information by June
2 30, 2021:

3 (i) The number of warnings and infractions issued to first-time
4 violators under the pilot program;

5 (ii) The number of warnings and infractions issued to the
6 registered owners of vehicles that are not registered with an address
7 located in the city conducting the pilot program; and

8 (iii) The frequency with which warnings and infractions are
9 issued on weekdays versus weekend days.

10 (b) If neither chapter 224, Laws of 2020 nor chapter . . .
11 (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June
12 30, 2020, the conditions of this subsection (4) have no force and
13 effect.

14 **Sec. 902.** 2020 c 219 s 202 (uncodified) is amended to read as
15 follows:

16 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

17 Rural Arterial Trust Account—State Appropriation	\$1,137,000
18 Motor Vehicle Account—State Appropriation	(\$2,920,000)
19	<u>\$2,995,000</u>
20 County Arterial Preservation Account—State	
21 Appropriation	\$1,677,000
22 TOTAL APPROPRIATION.	(\$5,734,000)
23	<u>\$5,809,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: \$58,000 of the motor vehicle account—
26 state appropriation is provided solely for succession planning and
27 training.

28 **Sec. 903.** 2020 c 219 s 203 (uncodified) is amended to read as
29 follows:

30 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

31 Transportation Improvement Account—State	
32 Appropriation	(\$3,854,000)
33	<u>\$3,825,000</u>

34 **Sec. 904.** 2020 c 219 s 204 (uncodified) is amended to read as
35 follows:

36 **FOR THE JOINT TRANSPORTATION COMMITTEE**

1	Motor Vehicle Account—State Appropriation	((\$2,187,000))
2		<u>\$2,173,000</u>
3	Multimodal Transportation Account—State Appropriation. . .	((\$917,000))
4		<u>\$895,000</u>
5	Highway Safety Account—State Appropriation.	\$275,000
6	TOTAL APPROPRIATION.	((\$3,379,000))
7		<u>\$3,343,000</u>

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

10 (1) \$400,000 of the motor vehicle account—state appropriation and
11 \$50,000 of the multimodal transportation account—state appropriation
12 is for the joint transportation committee to conduct a comprehensive
13 assessment of statewide transportation needs and priorities, and
14 existing and potential transportation funding mechanisms to address
15 those needs and priorities. The assessment must include: (a)
16 Recommendations on the critical state and local transportation
17 projects, programs, and services needed to achieve an efficient,
18 effective, statewide transportation system over the next ten years;
19 (b) a comprehensive menu of funding options for the legislature to
20 consider to address the identified transportation system investments;
21 (c) recommendations on whether a revision to the statewide
22 transportation policy goals in RCW 47.04.280 is warranted in light of
23 the recommendations and options identified in (a) and (b) of this
24 subsection; and (d) an analysis of the economic impacts of a range of
25 future transportation investments. The assessment must be submitted
26 to the transportation committees of the legislature by June 30, 2020.
27 Starting July 1, 2020, and concluding by December 31, 2020, a
28 committee-appointed commission or panel shall review the assessment
29 and make final recommendations to the legislature for consideration
30 during the 2021 legislative session on a realistic, achievable plan
31 for funding transportation programs, projects, and services over the
32 next ten years including a timeline for legislative action on funding
33 the identified transportation system needs shortfall.

34 (2) (a) \$382,000 of the multimodal transportation account—state
35 appropriation is for the joint transportation committee to conduct an
36 analysis of the electrification of public fleets in Washington state.
37 The study must include the following:

38 (i) An inventory of existing public fleets for the state of
39 Washington, counties, a sampling of cities, and public transit

1 agencies. The inventory must differentiate among battery and fuel
2 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
3 and any other functional categories. Three cities from each of the
4 following population ranges must be selected for the analysis:

5 (A) Population up to and including twenty-five thousand;

6 (B) Population greater than twenty-five thousand and up to and
7 including fifty thousand;

8 (C) Population greater than fifty thousand and up to and
9 including one hundred thousand;

10 (D) Population greater than one hundred thousand;

11 (ii) A review of currently available battery and fuel cell
12 electric vehicle alternatives to the vehicle types most commonly used
13 by the state, counties, cities, and public transit agencies. The
14 review must include:

15 (A) The average vehicle cost differential among the commercially
16 available fuel options;

17 (B) A cost benefit analysis of the conversion of different
18 vehicle classes; and

19 (C) Recommendations for the types of vehicles that should be
20 excluded from consideration due to insufficient alternatives,
21 unreliable technology, or excessive cost;

22 (iii) The projected costs of achieving substantial conversion to
23 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
24 the state, counties, cities, and public transit agencies. This cost
25 estimate must include:

26 (A) Vehicle acquisition costs, charging and refueling
27 infrastructure costs, and other associated costs;

28 (B) Financial constraints of each type of entity to transition to
29 an electric vehicle fleet; and

30 (C) Any other identified barriers to transitioning to a battery
31 and/or fuel cell electric vehicle fleet;

32 (iv) Identification and analysis of financing mechanisms that
33 could be used to finance the transition of publicly owned vehicles to
34 battery and fuel cell electric vehicles. These mechanisms include,
35 but are not limited to: Energy or carbon savings performance
36 contracting, utility grants and rebates, revolving loan funds, state
37 grant programs, private third-party financing, fleet management
38 services, leasing, vehicle use optimization, and vehicle to grid
39 technology; and

1 (v) The predicted number and location profile of electric vehicle
2 fueling stations needed statewide to provide fueling for the fleets
3 of the state, counties, cities, and public transit agencies.

4 (b) In developing and implementing the study, the joint
5 transportation committee must solicit input from representatives of
6 the department of enterprise services, the department of
7 transportation, the department of licensing, the department of
8 commerce, the Washington state association of counties, the
9 association of Washington cities, the Washington state transit
10 association, transit agencies, and others as deemed appropriate.

11 (c) The joint transportation committee must issue a report of its
12 findings and recommendations to the transportation committees of the
13 legislature by September 30, 2020.

14 (3) (a) (~~(\$250,000)~~) \$228,000 of the multimodal transportation
15 account—state appropriation is for the joint transportation committee
16 to conduct a study of the feasibility of an east-west intercity
17 passenger rail system. The study must include the following elements:

18 (i) Projections of potential ridership;
19 (ii) Review of relevant planning studies;
20 (iii) Establishment of an advisory group and associated meetings;
21 (iv) Development of a Stampede Pass corridor alignment to
22 maximize ridership, revenue, and rationale, considering service to
23 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
24 Toppenish, and Spokane;

25 (v) Assessment of current infrastructure conditions, including
26 station stop locations;

27 (vi) Identification of equipment needs; and

28 (vii) Identification of operator options.

29 (b) A report of the study findings and recommendations is due to
30 the transportation committees of the legislature by June 30, 2020.

31 (4) (a) \$275,000 of the highway safety fund—state appropriation is
32 for a study of vehicle subagents in Washington state. The study must
33 consider and include recommendations, as necessary, on the following:

34 (i) The relevant statutes, rules, and/or regulations authorizing
35 vehicle subagents and any changes made to the relevant statutes,
36 rules, and/or regulations;

37 (ii) The current process of selecting and authorizing a vehicle
38 subagent, including the change of ownership process and the
39 identification of any barriers to entry into the vehicle subagent
40 market;

1 (iii) The annual business expenditures borne by each of the
2 vehicle subagent businesses since fiscal year 2010 and identification
3 of any materials, including office equipment and supplies, provided
4 by the department of licensing to each vehicle subagent since fiscal
5 year 2010. To accomplish this task, each vehicle subagent must
6 provide expenditure data to the joint transportation committee for
7 the purposes of this study;

8 (iv) The oversight provided by the county auditors and/or the
9 department of licensing over the vehicle subagent businesses;

10 (v) The history of service fees, how increases to the service fee
11 rate are made, and how the requested fee increase is determined;

12 (vi) The online vehicle registration renewal process and any
13 potential improvements to the online process;

14 (vii) The department of licensing's ability to provide more
15 vehicle licensing services directly, particularly taking into account
16 the increase in online vehicle renewal transactions;

17 (viii) The potential expansion of services that can be performed
18 by vehicle subagents; and

19 (ix) The process by which the geographic locations of vehicle
20 subagents are determined.

21 (b) In conducting the study, the joint transportation committee
22 must consult with the department of licensing, a representative of
23 county auditors, and a representative of vehicle subagents.

24 (c) The joint transportation committee may collect any data from
25 the department of licensing, county auditors, and vehicle subagents
26 that is necessary to conduct the study.

27 (d) The joint transportation committee must issue a report of its
28 findings and recommendations to the transportation committees of the
29 legislature by September 30, 2020.

30 (5) (a) \$235,000 of the multimodal transportation account—state
31 appropriation is for the joint transportation committee to oversee a
32 consultant study on rail safety governance best practices, by class
33 of rail where applicable, and recommendations for the implementation
34 of these best practices in Washington state. The study must assess
35 rail safety governance for passenger and freight rail, including rail
36 transit services, and must consider recommendations made by the
37 national transportation safety board in its 2017 Amtrak passenger
38 train 501 derailment accident report that are relevant to rail safety
39 governance.

40 (b) The study must include the following components:

1 (i) (A) An assessment of rail safety oversight in Washington state
2 that includes: (I) The rail safety oversight roles of federal, state,
3 regional, and local agencies, including the extent to which federal
4 and state laws govern these roles and the extent to which these roles
5 would be modified should the suspended federal rules in 49 C.F.R.
6 Part 270 take effect; (II) federal, state, regional, and local agency
7 organizational structures and processes utilized to conduct rail
8 safety oversight; and (III) coordination activities by federal,
9 state, regional, and local agencies in conducting rail safety
10 oversight;

11 (B) An examination of rail safety governance best practices by
12 other states for the items identified in (a) of this subsection; and

13 (C) Recommendations for the implementation of best practices for
14 rail safety governance in Washington state.

15 (ii) The study must address the extent to which additional safety
16 oversight of rail project design and construction is used in other
17 states and would be a recommended best practice for Washington state.

18 (c) The joint transportation committee shall consult with the
19 Washington state department of transportation, the Washington state
20 utilities and transportation commission, sound transit, the national
21 transportation safety board, Amtrak, the federal railroad
22 administration, BNSF railway company, one or more representatives of
23 short line railroads, one or more representatives of labor, and other
24 entities with rail safety expertise as necessary.

25 (d) The joint transportation committee must issue a report of its
26 findings and recommendations on rail safety governance to the
27 transportation committees of the legislature by January 6, 2021.

28 (6) (a) \$250,000 of the motor vehicle account—state appropriation
29 is for the joint transportation committee to conduct a study of the
30 feasibility of a private auto ferry between the state of Washington
31 and British Columbia, Canada. The study must include the following
32 elements:

33 (i) Expected impacts to ridership, revenue, and expenditures for
34 Washington state ferries;

35 (ii) Expected impacts to ferry service provided to the San Juan
36 Islands;

37 (iii) Possible terminal locations on Fidalgo Island;

38 (iv) Economic impacts to the Anacortes area if ferry service
39 between the area and Vancouver Island ceases;

- 1 (v) Economic impacts to the San Juan Islands if ferry service or
 2 ferry tourism is reduced;
- 3 (vi) Expected impacts to family wage jobs in the marine industry
 4 for Washingtonians;
- 5 (vii) Expected impacts to ferry fares between the state of
 6 Washington and British Columbia, Canada;
- 7 (viii) Legal analysis of all state, federal, or Canadian laws or
 8 rules, including the Jones act and rules of the board of pilotage
 9 commissioners, that may apply to initiation of private service or
 10 cessation of state service; and
- 11 (ix) Options for encouraging private auto ferry service between
 12 the state of Washington and Vancouver Island, Canada.
- 13 (b) In conducting the study, the joint transportation committee
 14 must consult with the department of transportation, a representative
 15 of San Juan county, a representative of the city of Anacortes, a
 16 representative of the inland boatman's union, a representative of
 17 Puget Sound pilots, a representative of the port of Anacortes, a
 18 representative of the economic development alliance of Skagit county,
 19 and interested private ferry operators in Washington state.
- 20 (c) A report of the study findings and options is due to the
 21 transportation committees of the legislature by February 15, 2021.

22 **Sec. 905.** 2020 c 219 s 205 (uncodified) is amended to read as
 23 follows:

24 **FOR THE TRANSPORTATION COMMISSION**

25	Motor Vehicle Account—State Appropriation	((\$2,324,000))
26		<u>\$1,861,000</u>
27	Interstate 405 and <u>State</u> Route Number 167 Express Toll Lanes	
28	Account—State Appropriation.	((\$410,000))
29		<u>\$406,000</u>
30	State Route Number 520 Corridor Account—State	
31	Appropriation.	((\$271,000))
32		<u>\$262,000</u>
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation.	((\$158,000))
35		<u>\$152,000</u>
36	Alaskan Way Viaduct Replacement Project	
37	Account—State Appropriation.	((\$136,000))
38		<u>\$132,000</u>

1 TOTAL APPROPRIATION. (~~(\$3,299,000)~~)
2 \$2,813,000

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

5 (1)(a) The commission shall reconvene the road usage charge
6 steering committee, with the same membership described in chapter
7 297, Laws of 2018, and shall report at least once every three months
8 to the steering committee with updates on report development for the
9 completed road usage charge pilot project until the final report is
10 submitted. The commission shall also report to the steering committee
11 on any other activities undertaken in accordance with this subsection
12 (1) as necessary to keep it apprised of new developments and to
13 obtain input on its efforts. The final report on the road usage
14 charge pilot project is due to the transportation committees of the
15 legislature by January 1, 2020, and should include recommendations
16 for necessary next steps to consider impacts to communities of color,
17 low-income households, vulnerable populations, and displaced
18 communities. Any legislative vacancies on the steering committee must
19 be appointed by the speaker of the house of representatives for a
20 house of representatives member vacancy, and by the president of the
21 senate for a senate member vacancy.

22 (b)(i) The commission shall coordinate with the department of
23 transportation to jointly seek federal funds available through the
24 federal surface transportation system funding alternatives grant
25 program, applying toll credits for meeting match requirements. One or
26 more grant applications shall be developed that propose to:

27 (A) Create a framework for modeling the effects of a road usage
28 charge on passenger and light-duty vehicles including, but not
29 limited to, plug-in electric vehicles, autonomous vehicles, state
30 fleets, and transportation network companies on a road usage charge
31 system;

32 (B) Identify and measure potential disparate impacts of a road
33 usage charge on designated populations, including communities of
34 color, low-income households, vulnerable populations, and displaced
35 communities;

36 (C) Incorporate emerging approaches to mileage reporting, such as
37 in-vehicle telematics, improved smartphone apps, and use of private
38 businesses to provide odometer verification and mileage reporting
39 services, into a road usage charge system;

1 (D) Conduct a series of facilitated work sessions with other
2 states and private sector firms to identify opportunities to reduce
3 the cost of collections for a road usage charge;

4 (E) Develop a road usage charge phase-in plan that incorporates
5 findings from (b) (i) (A) through (D) of this subsection;

6 (F) Carry out a limited scale demonstration to test new mileage
7 reporting methods; equity policies; cost reduction techniques; and
8 collecting a road usage charge from passenger and light-duty vehicles
9 including, but not limited to, plug-in electric vehicles, autonomous
10 vehicles, state fleets, transportation network companies, and other
11 new mobility services; and

12 (G) Produce a final report with recommendations and a recommended
13 roadmap that details how a road usage charge could be appropriately
14 scaled to fit state circumstances and that includes a framework for
15 evaluating policy choices related to the use of road usage charge
16 revenue.

17 (ii) A year-end report on the status of any federally-funded
18 project for which federal funding is secured must be provided to the
19 governor's office and the transportation committees of the
20 legislature by January 1, 2020, and by January 1, 2021.

21 (c) \$150,000 of the motor vehicle account—state appropriation is
22 provided solely for analysis of potential impacts of a road usage
23 charge on communities of color, low-income households, vulnerable
24 populations, and displaced communities. The analysis must include an
25 assessment of potential mitigation measures to address these
26 potential impacts. These funds must be held in unallotted status
27 during the 2019-2021 fiscal biennium, and may only be used after the
28 commission has provided notice to the office of financial management
29 that it has exhausted all efforts to secure federal funds from the
30 federal surface transportation system funding alternatives grant
31 program under (b) of this subsection without successfully securing
32 federal funding for the further study of a road usage charge. A year-
33 end update on the status of this effort, if undertaken prior to the
34 end of calendar year 2020, must be provided to the governor's office
35 and the transportation committees of the legislature by January 1,
36 2021.

37 (2) (a) \$250,000 of the Interstate 405 and state route number 167
38 express toll lanes account—state appropriation is provided solely for
39 the transportation commission to conduct a study, applicable to the
40 Interstate 405 express toll lanes, of discounted tolls and other

1 similar programs for low-income drivers that are provided by other
2 states, countries, or other entities and how such a program could be
3 implemented in the state of Washington. The transportation commission
4 may contract with a consultant to conduct all or a portion of this
5 study.

6 (b) In conducting this study, the transportation commission shall
7 consult with both the department of transportation and the department
8 of social and health services.

9 (c) The transportation commission shall, at a minimum, consider
10 the following issues when conducting the study of discounted tolls
11 and other similar programs for low-income drivers:

12 (i) The benefits, requirements, and any potential detriments to
13 the users of a program;

14 (ii) The most cost-effective way to implement a program given
15 existing financial commitments, shared cost requirements across
16 facilities, and technical requirements to execute and maintain a
17 program;

18 (iii) The implications of a program for tolling policies,
19 revenues, costs, operations, and enforcement; and

20 (iv) Any implications to tolled facilities based on the type of
21 tolling implemented on a particular facility.

22 (d) The transportation commission shall provide a report
23 detailing the findings of this study and recommendations for
24 implementing a discounted toll or other appropriate program in the
25 state of Washington to the transportation committees of the
26 legislature by June 30, 2021.

27 (3) \$160,000 of the Interstate 405 and state route number 167
28 express toll lanes account—state appropriation, \$271,000 of the state
29 route number 520 corridor account—state appropriation, \$158,000 of
30 the Tacoma Narrows toll bridge account—state appropriation, and
31 \$136,000 of the Alaskan Way viaduct replacement project account—state
32 appropriation are provided solely for the transportation commission's
33 proportional share of time spent supporting tolling operations for
34 the respective tolling facilities.

35 (4) The legislature requests that the commission commence
36 proceedings to name state route number 165 as The Glacier Highway to
37 commemorate the significance of glaciers to the state of Washington.

1 Washington state patrol must be reimbursed for the use of the vehicle
2 at the prevailing state employee rate for mileage and hours of usage,
3 subject to guidelines developed by the chief of the Washington state
4 patrol.

5 (2) \$510,000 of the ignition interlock device revolving account—
6 state appropriation is provided solely for the ignition interlock
7 program at the Washington state patrol to provide funding for two
8 staff to work and provide support for the program in working with
9 manufacturers, service centers, technicians, and participants in the
10 program.

11 (3) \$1,424,000 of the state patrol highway account—state
12 appropriation is provided solely to enter into an agreement for
13 upgraded land mobile software, hardware, and equipment.

14 (4) \$2,582,000 of the state patrol highway account—state
15 appropriation is provided solely for the replacement of radios and
16 other related equipment.

17 (5) \$343,000 of the state patrol highway account—state
18 appropriation is provided solely for aerial criminal investigation
19 tools, including software licensing and maintenance, and annual
20 certification.

21 (6) (~~(\$2,342,000)~~) \$1,556,000 of the state patrol highway account
22 —state appropriation is provided solely to address the increase in
23 the number of toxicology cases from impaired driving and death
24 investigations.

25 (7) \$580,000 of the state patrol highway account—state
26 appropriation is provided solely for the operation of and
27 administrative support to the license investigation unit to enforce
28 vehicle registration laws in southwestern Washington. The Washington
29 state patrol, in consultation with the department of revenue, shall
30 maintain a running estimate of the additional vehicle registration
31 fees, sales and use taxes, and local vehicle fees remitted to the
32 state pursuant to activity conducted by the license investigation
33 unit. Beginning October 1, 2019, and quarterly thereafter, the
34 Washington state patrol shall submit a report detailing the
35 additional revenue amounts generated since July 1, 2017, to the
36 director of the office of financial management and the transportation
37 committees of the legislature. At the end of the calendar quarter in
38 which it is estimated that more than \$625,000 in state sales and use
39 taxes have been remitted to the state since July 1, 2017, the

1 Washington state patrol shall notify the state treasurer and the
2 state treasurer shall transfer funds pursuant to section 406, chapter
3 416, Laws of 2019.

4 (8) \$18,000 of the state patrol highway account—state
5 appropriation is provided solely for the license investigation unit
6 to procure an additional license plate reader and related costs.

7 (9) The Washington state patrol and the office of financial
8 management must be consulted by the department of transportation
9 during the design phase of any improvement or preservation project
10 that could impact Washington state patrol weigh station operations.
11 During the design phase of any such project, the department of
12 transportation must estimate the cost of designing around the
13 affected weigh station's current operations, as well as the cost of
14 moving the affected weigh station.

15 (10) \$4,210,000 of the state patrol highway account—state
16 appropriation is provided solely for a third arming and a third
17 trooper basic training class. The cadet class is expected to graduate
18 in June 2021.

19 (11) \$65,000 of the state patrol highway account—state
20 appropriation is provided solely for the implementation of chapter
21 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws
22 of 2019 is not enacted by June 30, 2019, the amount provided in this
23 subsection lapses.

24 (12)(a) The Washington state patrol must report quarterly to the
25 house and senate transportation committees on the status of
26 recruitment and retention activities as follows:

27 (i) A summary of recruitment and retention strategies;

28 (ii) The number of transportation funded staff vacancies by major
29 category;

30 (iii) The number of applicants for each of the positions by these
31 categories;

32 (iv) The composition of workforce; and

33 (v) Other relevant outcome measures with comparative information
34 with recent comparable months in prior years.

35 (b) By January 1, 2020, the Washington state patrol must submit
36 to the transportation committees of the legislature and the governor
37 a workforce diversity plan. The plan must identify ongoing, and both
38 short-term and long-term, specific comprehensive outreach and

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

3 (13) \$1,182,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$1,988,000 of the
5 state route number 520 corridor account—state appropriation,
6 \$1,158,000 of the Tacoma Narrows toll bridge account—state
7 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
8 project account—state appropriation are provided solely for the
9 Washington state patrol's proportional share of time spent supporting
10 tolling operations and enforcement for the respective tolling
11 facilities.

12 (14) \$100,000 of the state patrol highway account—state
13 appropriation is provided solely for the implementation of (~~Senate~~
14 ~~Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol
15 retirement definition of salary), which reflects an increase in the
16 Washington state patrol retirement system pension contribution rate
17 of 0.15 percent for changes to the definition of salary. If (~~Senate~~
18 ~~Bill No. 6218~~) chapter 97, Laws of 2020 is not enacted by June 30,
19 2020, the amount provided in this subsection lapses.

20 (~~(16)~~) (15) \$975,000 of the state patrol highway account—state
21 appropriation is provided solely for communications officers at the
22 King county public safety answering point.

23 (~~(17)~~) (16) \$830,000 of the state patrol highway account—state
24 appropriation is provided solely for information technology security
25 enhancements.

26 (~~(18)~~) (17) \$150,000 of the state patrol highway account is
27 provided solely for the Washington state patrol to work with the
28 department of enterprise services and office of minority and women's
29 business enterprises to contract for a workforce diversity strategic
30 action plan. The successful consultant must have demonstrated
31 expertise in workforce diversity research and an established record
32 of assisting organizations in implementing diversity initiatives. The
33 plan must include:

34 (a) Current and past employment data on the composition of the
35 state patrol workforce generally and of its protective service
36 workers;

37 (b) Research into the reasons for underrepresentation of
38 minorities and women in the state patrol workforce;

1 (c) Research on best practices for recruiting across the state
2 and from communities historically underrepresented in the Washington
3 state patrol workforce;

4 (d) Case studies of law enforcement and other agencies that have
5 successfully diversified their workforce; and

6 (e) A strategic plan with recommendations that will address
7 disparities in the Washington state patrol employment ranks in both
8 commissioned and noncommissioned personnel, with a focus on
9 executive, command, and supervisory employees.

10 **Sec. 908.** 2020 c 219 s 208 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF LICENSING**

13	Marine Fuel Tax Refund Account—State Appropriation	\$34,000
14	Motorcycle Safety Education Account—State	
15	Appropriation	(\$5,052,000)
16		<u>\$5,023,000</u>
17	State Wildlife Account—State Appropriation	(\$511,000)
18		<u>\$510,000</u>
19	Highway Safety Account—State Appropriation	(\$242,965,000)
20		<u>\$226,935,000</u>
21	Highway Safety Account—Federal Appropriation	\$1,294,000
22	Motor Vehicle Account—State Appropriation	(\$71,447,000)
23		<u>\$64,548,000</u>
24	Motor Vehicle Account—Federal Appropriation.	\$186,000
25	Motor Vehicle Account—Private/Local Appropriation	\$10,008,000
26	Ignition Interlock Device Revolving Account—State	
27	Appropriation	(\$5,779,000)
28		<u>\$5,265,000</u>
29	Department of Licensing Services Account—State	
30	Appropriation	(\$7,696,000)
31		<u>\$7,685,000</u>
32	License Plate Technology Account—State	
33	Appropriation	\$4,250,000
34	Abandoned Recreational Vehicle Account—State	
35	Appropriation.	\$2,925,000
36	Limousine Carriers Account—State Appropriation.	\$113,000
37	Electric Vehicle Account—State Appropriation.	\$264,000
38	DOL Technology Improvement & Data Management	

1	Account—State Appropriation.	\$2,250,000
2	Agency Financial Transaction Account—State	
3	Appropriation.	\$11,903,000
4	TOTAL APPROPRIATION.	(\$366,677,000)
5		<u>\$343,193,000</u>

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

8 (1) \$139,000 of the motorcycle safety education account—state
9 appropriation is provided solely for the implementation of chapter
10 65, Laws of 2019 (motorcycle safety). If chapter 65, Laws of 2019 is
11 not enacted by June 30, 2019, the amount provided in this subsection
12 lapses.

13 (2) \$25,000 of the motorcycle safety education account—state
14 appropriation, \$4,000 of the state wildlife account—state
15 appropriation, \$1,708,000 of the highway safety account—state
16 appropriation, \$576,000 of the motor vehicle account—state
17 appropriation, \$22,000 of the ignition interlock device revolving
18 account—state appropriation, and \$28,000 of the department of
19 licensing services account—state appropriation are provided solely
20 for the department to fund the appropriate staff and necessary
21 equipment and software for data management, data analytics, and data
22 compliance activities. The department must, in consultation with the
23 office of the chief information officer, construct a framework with
24 goals for providing better data stewardship and a plan to achieve
25 those goals. The department must provide the framework and plan to
26 the transportation committees of the legislature by December 31,
27 2019, and an update by May 1, 2020.

28 (3) Appropriations provided for the cloud continuity of
29 operations project in this section are subject to the conditions,
30 limitations, and review provided in section 701 (~~of this act~~),
31 chapter 219, Laws of 2020.

32 (4) \$24,028,000 of the highway safety account—state appropriation
33 is provided solely for costs necessary to accommodate increased
34 demand for enhanced drivers' licenses and enhanced identicards. The
35 department shall report on a quarterly basis on the use of these
36 funds, associated workload, and information with comparative
37 information with recent comparable months in prior years. The report
38 must include detailed statewide and by licensing service office
39 information on staffing levels, average monthly wait times, the

1 number of enhanced drivers' licenses and enhanced identicards issued/
2 renewed, and the number of primary drivers' licenses and identicards
3 issued/renewed. Within the amounts provided in this subsection, the
4 department shall implement efficiency measures to reduce the time for
5 licensing transactions and wait times including, but not limited to,
6 the installation of additional cameras at licensing service offices
7 that reduce bottlenecks and align with the "keep your customer"
8 initiative.

9 (5) \$507,000 of the motor vehicle account—state appropriation is
10 provided solely for the implementation of chapter . . . (Substitute
11 Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter
12 417, Laws of 2019 (vehicle service fees). If neither chapter . . .
13 (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417, Laws
14 of 2019 are enacted by June 30, 2019, the amount provided in this
15 subsection lapses.

16 (6) \$25,000 of the motor vehicle account—state appropriation is
17 provided solely for the implementation of chapter 177, Laws of 2019
18 (San Juan Islands license plate). If chapter 177, Laws of 2019 is not
19 enacted by June 30, 2019, the amount provided in this subsection
20 lapses.

21 (7) \$24,000 of the motor vehicle account—state appropriation is
22 provided solely for the implementation of chapter 384, Laws of 2019
23 (Seattle Storm license plate). If chapter 384, Laws of 2019 is not
24 enacted by June 30, 2019, the amount provided in this subsection
25 lapses.

26 (8) \$65,000 of the highway safety account—state appropriation is
27 provided solely for the implementation of chapter 440, Laws of 2019
28 (immigrants in the workplace). If chapter 440, Laws of 2019 is not
29 enacted by June 30, 2019, the amount provided in this subsection
30 lapses.

31 (9) The appropriations in this section assume implementation of
32 additional cost recovery mechanisms to recoup at least \$11,903,000 in
33 credit card and other financial transaction costs as part of charges
34 imposed for driver and vehicle fee transactions beginning January 1,
35 2020. At the direction of the office of financial management, the
36 department must develop a method of tracking the additional amount of
37 credit card and other financial cost-recovery revenues. In
38 consultation with the office of financial management, the department
39 must notify the state treasurer of these amounts and the state

1 treasurer must deposit these revenues in the agency financial
2 transaction account created in section 717, chapter 416, Laws of 2019
3 on a quarterly basis.

4 (10) \$1,281,000 of the department of licensing service account—
5 state appropriation is provided solely for savings from the
6 implementation of chapter 417, Laws of 2019 (vehicle service fees).
7 If chapter 417, Laws of 2019 is enacted by June 30, 2019, the amount
8 provided in this subsection lapses.

9 (11) \$2,650,000 of the abandoned recreational vehicle disposal
10 account—state appropriation is provided solely for providing
11 reimbursements in accordance with the department's abandoned
12 recreational vehicle disposal reimbursement program. It is the intent
13 of the legislature that the department prioritize this funding for
14 allowable and approved reimbursements and not to build a reserve of
15 funds within the account.

16 (12) \$20,000 of the motor vehicle account—state appropriation is
17 provided solely for the implementation of chapter 210, Laws of 2019
18 (Gold Star license plate). If chapter 210, Laws of 2019 is not
19 enacted by June 30, 2019, the amount provided in this subsection
20 lapses.

21 (13) \$31,000 of the motor vehicle account—state appropriation is
22 provided solely for the implementation of chapter 262, Laws of 2019
23 (snow bikes). If chapter 262, Laws of 2019 is not enacted by June 30,
24 2019, the amount provided in this subsection lapses.

25 (14) \$24,000 of the motor vehicle account—state appropriation is
26 provided solely for the implementation of chapter 139, Laws of 2019
27 (Purple Heart license plate). If chapter 139, Laws of 2019 is not
28 enacted by June 30, 2019, the amount provided in this subsection
29 lapses.

30 (15) \$24,000 of the motor vehicle account—state appropriation is
31 provided solely for the implementation of chapter 278, Laws of 2019
32 (vehicle and vessel owner information). If chapter 278, Laws of 2019
33 is not enacted by June 30, 2019, the amount provided in this
34 subsection lapses.

35 (16) \$600,000 of the highway safety account—state appropriation
36 is provided solely for the department to provide an interagency
37 transfer to the department of social and health services, children's
38 administration division for the purpose of providing driver's license
39 support to a larger population of foster youth than is already served

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

4 (17) The department must place personal and company data elements
5 in separate data fields to allow the department to select discrete
6 data elements when providing information or data to persons or
7 entities outside the department. Pursuant to the restrictions in
8 federal and state law, a person's photo, social security number, or
9 medical information must not be made available through public
10 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

11 (18) \$91,000 of the highway safety account—state appropriation is
12 provided solely for the department's costs related to the one
13 Washington project.

14 (19) (~~(\$1,674,000)~~) \$1,174,000 of the highway safety account—
15 state appropriation is provided solely for communication and outreach
16 activities necessary to inform the public of federally acceptable
17 identification options including, but not limited to, enhanced
18 drivers' licenses and enhanced identicards. The department shall
19 continue the outreach plan that includes informational material that
20 can be effectively communicated to all communities and populations in
21 Washington. To accomplish this work, the department shall contract
22 with an external vendor with demonstrated experience and expertise in
23 outreach and marketing to underrepresented communities in a
24 (~~(culturally-responsive)~~) culturally responsive fashion.

25 (20) Due to the passage of chapter 1 (Initiative Measure No.
26 976), Laws of 2020, the department, working with the office of
27 financial management, shall provide a monthly report on the number of
28 registrations involved and differences between actual collections and
29 collections if the initiative was not subject to a temporary
30 injunction as of December 5, 2019.

31 (21) The appropriations in this section assume full cost recovery
32 for the administration and collection of a motor vehicle excise tax
33 on behalf of any regional transit authority pursuant to section 706
34 (~~(of this act)~~), chapter 219, Laws of 2020.

35 (~~((26))~~) (22) \$107,000 of the highway safety account—state
36 appropriation is provided solely for the implementation of chapter
37 78, Laws of 2020 (military veterans commercial driver's license
38 waivers) or chapter . . . (Second Substitute Senate Bill No. 5544),
39 Laws of 2020 (military veterans commercial driver's license waivers).

1 If neither chapter 78, Laws of 2020 nor chapter . . . (Second
2 Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30,
3 2020, the amount provided in this subsection lapses.

4 ~~((28))~~ (23) \$114,000 of the highway safety account—state
5 appropriation is provided solely for the implementation of chapter
6 124, Laws of 2020 (homeless youth identicards) or chapter . . .
7 (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If
8 neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No.
9 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided
10 in this subsection lapses.

11 ~~((29))~~ (24) \$24,000 of the motor vehicle account—state
12 appropriation is provided solely for the implementation of chapter
13 129, Laws of 2020 (Seattle national hockey league special license
14 plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020 (Seattle
15 national hockey league special license plate). If neither chapter
16 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562), Laws of
17 2020 is enacted by June 30, 2020, the amount provided in this
18 subsection lapses.

19 ~~((30))~~ (25) \$14,000 of the motor vehicle account—state
20 appropriation is provided solely for the implementation of
21 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
22 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No.
23 6115), Laws of 2020 (off-road vehicle enforcement). If neither
24 chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of
25 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is
26 enacted by June 30, 2020, the amount provided in this subsection
27 lapses.

28 ~~((31))~~ (26) \$105,000 of the motor vehicle account—state
29 appropriation is provided solely for the implementation of chapter
30 118, Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate
31 Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither
32 chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No. 6251),
33 Laws of 2020 (tribal vehicles compact) is enacted by June 30, 2020,
34 the amount provided in this subsection lapses.

35 ~~((32))~~ (27) \$57,000 of the state wildlife account—state
36 appropriation is provided solely for the implementation of chapter
37 148, Laws of 2020 (state wildlife account). If chapter 148, Laws of
38 2020 is not enacted by June 30, 2020, the amount provided in this
39 subsection lapses.

1 ~~((33))~~ (28) \$19,000 of the motor vehicle account—state
2 appropriation is provided solely for the implementation of chapter
3 93, Laws of 2020 (apples special license plate). If chapter 93, Laws
4 of 2020 is not enacted by June 30, 2020, the amount provided in this
5 subsection lapses.

6 ~~((34))~~ (29) \$19,000 of the motor vehicle account—state
7 appropriation is provided solely for the implementation of chapter
8 239, Laws of 2020 (stolen vehicle check). If chapter 239, Laws of
9 2020 is not enacted by June 30, 2020, the amount provided in this
10 subsection lapses.

11 ~~((36))~~ (30) \$40,000 of the department of licensing services
12 account—state appropriation is provided solely for the department to
13 report to the governor and chairs of the transportation committees of
14 the legislature by December 1, 2020, with a proposed plan to allow
15 the registered owner of a vehicle, or the registered owner's
16 authorized representative, to voluntarily enter into either a
17 quarterly or monthly payment plan with the department to pay vehicle
18 fees or taxes due at the time of application for renewal vehicle
19 registration. The plan must include: (a) An analysis of the
20 administrative costs associated with allowing the payment plans; (b)
21 the estimated revenue impact by fund or account, including impacts to
22 local governments; and (c) the recommended method to achieve the
23 greatest level of customer payment compliance.

24 ~~((37))~~ (31)(a) Within available resources, and in collaboration
25 with the department of revenue, the department of licensing shall
26 evaluate the effectiveness of chapter 218, Laws of 2017, in improving
27 compliance with state laws relating to the registration of off-road
28 vehicles, including the payment of retail sales and use tax. The
29 department of licensing shall recommend any statutory,
30 administrative, or other changes needed to optimize and further
31 strengthen the compliance, including an implementation timeline and
32 corresponding resource requirements. Among its recommendations, the
33 department of licensing must address potential changes to the process
34 under RCW 46.93.210 by which the department notifies persons whose
35 vehicles may not be properly registered in the state. The department
36 shall submit a report to the governor and the transportation
37 committees of the legislature by December 15, 2020.

1 (b) If chapter . . . (Engrossed Substitute House Bill No. 2723),
2 Laws of 2020 is enacted by June 30, 2020, this subsection has no
3 force and effect.

4 **Sec. 909.** 2020 c 219 s 209 (uncodified) is amended to read as
5 follows:

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

8	State Route Number 520 Corridor Account—State	
9	Appropriation	((\$59,059,000))
10		<u>\$36,503,000</u>
11	State Route Number 520 Civil Penalties Account—State	
12	Appropriation	((\$4,145,000))
13		<u>\$20,230,000</u>
14	Tacoma Narrows Toll Bridge Account—State	
15	Appropriation	((\$33,806,000))
16		<u>\$34,073,000</u>
17	Alaskan Way Viaduct Replacement Project Account—State	
18	Appropriation.	((\$21,616,000))
19		<u>\$19,857,000</u>
20	Interstate 405 and State Route Number 167 Express	
21	Toll Lanes Account—State Appropriation.	((\$27,457,000))
22		<u>\$23,637,000</u>
23	TOTAL APPROPRIATION.	((\$146,083,000))
24		<u>\$134,300,000</u>

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

27 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
28 appropriation and \$11,034,000 of the state route number 520 corridor
29 account—state appropriation are provided solely for the purposes of
30 addressing unforeseen operations and maintenance costs on the Tacoma
31 Narrows bridge and the state route number 520 bridge, respectively.
32 The office of financial management shall place the amounts provided
33 in this subsection, which represent a portion of the required minimum
34 fund balance under the policy of the state treasurer, in unallotted
35 status. The office may release the funds only when it determines that
36 all other funds designated for operations and maintenance purposes
37 have been exhausted.

1 (2) As long as the facility is tolled, the department must
2 provide quarterly reports to the transportation committees of the
3 legislature on the Interstate 405 express toll lane project
4 performance measures listed in RCW 47.56.880(4). These reports must
5 include:

6 (a) Information on the travel times and travel time reliability
7 (at a minimum, average and 90th percentile travel times) maintained
8 during peak and nonpeak periods in the express toll lanes and general
9 purpose lanes for both the entire corridor and commonly made trips in
10 the corridor including, but not limited to, northbound from Bellevue
11 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
12 state route number 522, Bellevue to Bothell (both NE 8th to state
13 route number 522 and NE 8th to state route number 527), and a trip
14 internal to the corridor (such as NE 85th to NE 160th) and similar
15 southbound trips;

16 (b) A month-to-month comparison of travel times and travel time
17 reliability for the entire corridor and commonly made trips in the
18 corridor as specified in (a) of this subsection since implementation
19 of the express toll lanes and, to the extent available, a comparison
20 to the travel times and travel time reliability prior to
21 implementation of the express toll lanes;

22 (c) Total express toll lane and total general purpose lane
23 traffic volumes, as well as per lane traffic volumes for each type of
24 lane (i) compared to total express toll lane and total general
25 purpose lane traffic volumes, as well as per lane traffic volumes for
26 each type of lane, on this segment of Interstate 405 prior to
27 implementation of the express toll lanes and (ii) compared to total
28 express toll lane and total general purpose lane traffic volumes, as
29 well as per lane traffic volumes for each type of lane, from month to
30 month since implementation of the express toll lanes; and

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

34 (3) (a) (~~(\$2,114,000)~~) \$1,406,000 of the Interstate 405 and state
35 route number 167 express toll lanes account—state appropriation,
36 (~~(\$4,920,000)~~) \$3,269,000 of the state route number 520 corridor
37 account—state appropriation, (~~(\$2,116,000)~~) \$1,407,000 of the Tacoma
38 Narrows toll bridge account—state appropriation, and (~~(\$2,776,000)~~)
39 \$1,844,000 of the Alaskan Way viaduct replacement project account—

1 state appropriation are provided solely for the department to finish
2 implementing a new tolling customer service toll collection system,
3 and are subject to the conditions, limitations, and review provided
4 in section 701 (~~of this act~~), chapter 219, Laws of 2020.

5 (b) The department shall continue to work with the office of
6 financial management, office of the chief information officer, and
7 the transportation committees of the legislature on the project
8 management plan that includes a provision for independent
9 verification and validation of contract deliverables from the
10 successful bidder and a provision for quality assurance that includes
11 reporting independently to the office of the chief information
12 officer on an ongoing basis during system implementation.

13 (4) The department shall make detailed quarterly reports to the
14 transportation committees of the legislature and the public on the
15 department's web site on the following:

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

20 (b) The nonvendor costs of administering toll operations,
21 including the costs of staffing the division, consultants, and other
22 personal service contracts required for technical oversight and
23 management assistance, insurance, payments related to credit card
24 processing, transponder purchases and inventory management, facility
25 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

37 (iv) Workload costs related to hearings;

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

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

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

4 (5) (~~(\$24,735,000)~~) \$21,623,000 of the Interstate 405 and state
5 route number 167 express toll lanes account—state appropriation is
6 provided solely for operational costs related to the express toll
7 lane facility.

8 (~~(In calendar year 2021, toll equipment on the Tacoma Narrows~~
9 ~~Bridge will have reached the end of its operational life. During the~~
10 ~~2019-2021 fiscal biennium, the department plans to issue a request~~
11 ~~for proposals as the first stage of a competitive procurement process~~
12 ~~that will replace the toll equipment and select a new tolling~~
13 ~~operator for the Tacoma Narrows Bridge. The request for proposals and~~
14 ~~subsequent competitive procurement must incorporate elements that~~
15 ~~prioritize the overall goal of lowering costs per transaction for the~~
16 ~~facility, such as incentives for innovative approaches which result~~
17 ~~in lower transactional costs, requests for efficiencies on the part~~
18 ~~of the bidder that lower operational costs, and incorporation of~~
19 ~~technologies such as self-serve credit card machines or other point-~~
20 ~~of-payment technologies that lower costs or improve operational~~
21 ~~efficiencies.~~

22 (~~(7) \$18,840,000~~) \$18,013,000 of the Alaskan Way viaduct
23 replacement project account—state appropriation is provided solely
24 for the new state route number 99 tunnel toll facility's expected
25 share of collecting toll revenues, operating customer services, and
26 maintaining toll collection systems. The legislature expects to see
27 appropriate reductions to the other toll facility accounts once
28 tolling on the new state route number 99 tunnel toll facility
29 commences and any previously incurred costs for start-up of the new
30 facility are charged back to the Alaskan Way viaduct replacement
31 project account. The office of financial management shall closely
32 monitor the application of the cost allocation model and ensure that
33 the new state route number 99 tunnel toll facility is adequately
34 sharing costs and the other toll facility accounts are not being
35 overspent or subsidizing the new state route number 99 tunnel toll
36 facility.

37 (~~((8))~~) (7) \$608,000 of the Interstate 405 and state route number
38 167 express toll lanes account—state appropriation are provided
39 solely for increased levels of service from the Washington state

1 patrol for enforcement of toll lane violations on the Interstate 405
2 and state route number 167 express toll lanes. The department shall
3 compile monthly data on the number of Washington state patrol
4 enforcement hours on each facility and the percentage of time during
5 peak hours that speeds are at or above forty-five miles per hour on
6 each facility. The department shall provide this data in a report to
7 the transportation committees of the legislature on at least a
8 calendar quarterly basis.

9 ~~((9))~~ (8) The department shall develop an ongoing cost
10 allocation method to assign appropriate costs to each of the toll
11 funds for services provided by each Washington state department of
12 transportation program and all relevant transportation agencies,
13 including the Washington state patrol and the transportation
14 commission. This method should update the toll cost allocation method
15 used in the 2020 supplemental transportation appropriations act. By
16 December 1, 2020, a report with the recommended method and any
17 changes or potential impacts to toll rates shall be submitted to the
18 transportation committees of the legislature and the office of
19 financial management.

20 **Sec. 910.** 2020 c 219 s 210 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
23 **C**

24	Transportation Partnership Account—State Appropriation . . .	\$1,460,000
25	Motor Vehicle Account—State Appropriation	(\$96,331,000)
26		<u>\$93,032,000</u>
27	Puget Sound Ferry Operations Account—State	
28	Appropriation	\$263,000
29	Multimodal Transportation Account—State	
30	Appropriation	(\$2,878,000)
31		<u>\$2,665,000</u>
32	Transportation 2003 Account (Nickel Account)—State	
33	Appropriation	\$1,460,000
34	TOTAL APPROPRIATION.	(\$102,392,000)
35		<u>\$98,880,000</u>

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

1 (1) \$8,114,000 of the motor vehicle account—state appropriation
2 is provided solely for the development of the labor system
3 replacement project and is subject to the conditions, limitations,
4 and review provided in section 701 (~~(of this act)~~), chapter 219, Laws
5 of 2020. It is the intent of the legislature that if any portion of
6 the labor system replacement project is leveraged in the future for
7 the time, leave, and labor distribution of any other agencies, the
8 motor vehicle account will be reimbursed proportionally for the
9 development of the system since amounts expended from the motor
10 vehicle account must be used exclusively for highway purposes in
11 conformance with Article II, section 40 of the state Constitution.
12 This must be accomplished through a loan arrangement with the current
13 interest rate under the terms set by the office of the state
14 treasurer at the time the system is deployed to additional agencies.
15 If the motor vehicle account is not reimbursed for future use of the
16 system, it is further the intent of the legislature that reductions
17 will be made to central service agency charges accordingly. The
18 department shall provide a report to the transportation committees of
19 the legislature by December 31, 2019, detailing the project timeline
20 as of July 1, 2019, an updated project timeline if necessary,
21 expenditures made to date for the purposes of this project, and
22 expenditures projected through the remainder of the project timeline.

23 (2) \$1,375,000 of the motor vehicle account—state appropriation
24 is provided solely for the department's cost related to the one
25 Washington project.

26 (3) \$21,500,000 of the motor vehicle account—state appropriation
27 is provided solely for the activities of the information technology
28 program in developing and maintaining information systems that
29 support the operations and program delivery of the department,
30 ensuring compliance with section 701 (~~(of this act)~~), chapter 219,
31 Laws of 2020, and the requirements of the office of the chief
32 information officer under RCW 43.88.092 to evaluate and prioritize
33 any new financial and capital systems replacement or modernization
34 project and any other information technology project. During the
35 2019-2021 fiscal biennium, the department may use the distributed
36 direct program support or other cost allocation method to fund a new
37 capital systems replacement or modernization project. The department
38 shall submit a decision package for implementation of a new capital
39 systems replacement project to the governor and the transportation

1 committees of the legislature as part of the normal budget process
2 for the 2021-2023 biennium.

3 **Sec. 911.** 2020 c 219 s 211 (uncodified) is amended to read as
4 follows:

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

7 Motor Vehicle Account—State Appropriation	((\$34,807,000))
	<u>\$33,819,000</u>
9 State Route Number 520 Corridor Account—State	
10 Appropriation	\$34,000
11 TOTAL APPROPRIATION.	((\$34,841,000))
12	<u>\$33,853,000</u>

13 **Sec. 912.** 2020 c 219 s 212 (uncodified) is amended to read as
14 follows:

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

16 Aeronautics Account—State Appropriation	((\$7,743,000))
17	<u>\$6,773,000</u>
18 Aeronautics Account—Federal Appropriation	\$3,043,000
19 Aeronautics Account—Private/Local Appropriation	\$60,000
20 TOTAL APPROPRIATION.	((\$10,846,000))
21	<u>\$9,876,000</u>

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

24 (1) ((~~\$2,862,000~~)) \$2,505,000 of the aeronautics account—state
25 appropriation is provided solely for the airport aid grant program,
26 which provides competitive grants to public use airports for
27 pavement, safety, maintenance, planning, and security.

28 (2) ((~~\$268,000~~)) \$218,000 of the aeronautics account—state
29 appropriation is provided solely for one FTE dedicated to planning
30 aviation emergency services and addressing emerging aeronautics
31 requirements.

32 (3) \$200,000 of the aeronautics account—state appropriation is
33 provided solely for the department to convene an electric aircraft
34 work group to study the state of the electrically powered aircraft
35 industry and assess infrastructure needs related to the deployment of
36 electric or hybrid-electric aircraft for commercial air travel in
37 Washington state.

1 (a) The chair of the work group may be a consultant specializing
2 in aeronautics. The work group must include, but is not limited to,
3 representation from the electric aircraft industry, the aircraft
4 manufacturing industry, electric utility districts, the battery
5 industry, the department of commerce, the department of
6 transportation aviation division, the airline pilots association, a
7 primary airport representing an airport association, and the airline
8 industry.

9 (b) The study must include, but is not limited to:

10 (i) Infrastructure requirements necessary to facilitate electric
11 aircraft operations at airports;

12 (ii) Potential economic and public benefits including, but not
13 limited to, the direct and indirect impact on the number of
14 manufacturing and service jobs and the wages from those jobs in
15 Washington state;

16 (iii) Potential incentives for industry in the manufacturing and
17 operation of electric aircraft for regional air travel;

18 (iv) Educational and workforce requirements for manufacturing and
19 maintaining electric aircraft;

20 (v) Demand and forecast for electric aircraft use to include
21 expected timeline of the aircraft entering the market given federal
22 aviation administration certification requirements;

23 (vi) Identification of up to six airports in Washington state
24 that may benefit from a pilot program once an electrically propelled
25 aircraft for commercial use becomes available; and

26 (vii) Recommendations to further the advancement of the
27 electrification of aircraft for regional commercial use within
28 Washington state, including specific, measurable goals for the years
29 2030, 2040, and 2050 that reflect progressive and substantial
30 increases in the utilization of electric and hybrid-electric
31 commercial aircraft.

32 (c) The work group must submit a report and accompanying
33 recommendations to the transportation committees of the legislature
34 by November 15, 2020.

35 (4) (~~(\$350,000)~~) \$193,000 of the aeronautics account—state
36 appropriation is provided solely for the implementation of chapter
37 396, Laws of 2019 (aviation coordinating commission).

38 (5) Within amounts appropriated in this section, the aviation
39 division of the department shall assist and consult with the
40 department of revenue in their efforts to update the document titled

1 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
2 reflect changes to Washington tax code regarding hazardous
3 substances. The department of revenue, in consultation with the
4 aviation division of the Washington state department of
5 transportation, is tasked with developing and recommending a
6 methodology to segregate and track actual amounts collected from the
7 hazardous substance tax under chapter 82.21 RCW and the petroleum
8 products tax under chapter 82.23A RCW as imposed on aviation fuel.
9 The department of revenue is directed to submit a report, including
10 the recommended methodology, to the fiscal committees of the house of
11 representatives and the senate by January 11, 2021.

12 **Sec. 913.** 2020 c 219 s 213 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
15 **SUPPORT—PROGRAM H**

16 Motor Vehicle Account—State Appropriation	((\$59,788,000))
17	<u>\$55,549,000</u>
18 Motor Vehicle Account—Federal Appropriation	\$500,000
19 Multimodal Transportation Account—State Appropriation . . .	\$258,000
20 TOTAL APPROPRIATION.	((\$60,546,000))
21	<u>\$56,307,000</u>

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

24 (1) The legislature recognizes that the trail known as the Rocky
25 Reach Trail, and its extensions, serve to separate motor vehicle
26 traffic from pedestrians and bicyclists, increasing motor vehicle
27 safety on state route number 2 and the coincident section of state
28 route number 97. Consistent with chapter 47.30 RCW and pursuant to
29 RCW 47.12.080, the legislature declares that transferring portions of
30 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
31 associated buffer areas to the Washington state parks and recreation
32 commission is consistent with the public interest. The legislature
33 directs the department to transfer the property to the Washington
34 state parks and recreation commission.

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

1 (b) Prior to completing the transfer in this subsection (1), the
2 department must ensure that provisions are made to accommodate
3 private and public utilities and any facilities that predate the
4 department's acquisition of the property, at no cost to those
5 entities. Prior to completing the transfer, the department shall also
6 ensure that provisions, by fair market assessment, are made to
7 accommodate other private and public utilities and any facilities
8 that have been legally allowed by permit or other instrument.

9 (c) The department may sell any adjoining property that is not
10 necessary to support the Rocky Reach Trail and adjacent buffer areas
11 only after the transfer of trail-related property to the Washington
12 state parks and recreation commission is complete. Adjoining property
13 owners must be given the first opportunity to acquire such property
14 that abuts their property, and applicable boundary line or other
15 adjustments must be made to the legal descriptions for recording
16 purposes.

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

25 (3) \$1,600,000 of the motor vehicle account—state appropriation
26 is provided solely for real estate services activities. Consistent
27 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
28 initiating, extending, or renewing any rent or lease agreements with
29 a regional transit authority, consideration of value must be
30 equivalent to one hundred percent of economic or market rent.

31 (4) (a) \$100,000 of the motor vehicle account—state appropriation
32 is provided solely for the department to:

33 (i) Determine the real property owned by the state of Washington
34 and under the jurisdiction of the department in King county that is
35 surplus property located in an area encompassing south of Dearborn
36 Street in Seattle, south of Newcastle, west of SR 515, and north of
37 South 216th to SR 515; and

38 (ii) Use any remaining funds after (a) (i) of this subsection is
39 completed to identify additional real property across the state owned

1 by the state of Washington and under the jurisdiction of the
2 department that is surplus property.

3 (b) The department shall provide a report to the transportation
4 committees of the legislature describing the properties it has
5 identified as surplus property under (a) of this subsection by
6 October 1, 2020.

7 **Sec. 914.** 2020 c 219 s 214 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
10 **PROGRAM K**

11	Motor Vehicle Account—State Appropriation	((\$670,000))
12		<u>\$654,000</u>
13	Electric Vehicle Account—State Appropriation.	((\$2,000,000))
14		<u>\$100,000</u>
15	Multimodal Transportation Account—State Appropriation. ((\$1,634,000))	
16		<u>\$350,000</u>
17	TOTAL APPROPRIATION.	((\$4,304,000))
18		<u>\$1,104,000</u>

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

21 (1) The economic partnerships program must continue to explore
22 retail partnerships at state-owned park and ride facilities, as
23 authorized in RCW 47.04.295.

24 (2) \$350,000 of the multimodal transportation account—state
25 appropriation is provided solely for the department to execute a
26 transit oriented development pilot project at Kingsgate park and ride
27 in Kirkland intended to be completed by December 31, 2023. The
28 purpose of the pilot project is to demonstrate how appropriate
29 department properties may be used to provide multiple public benefits
30 such as affordable and market rate housing, commercial development,
31 and institutional facilities in addition to transportation purposes.
32 To accomplish the pilot project, the department is authorized to
33 exercise all legal and administrative powers authorized in statute
34 that may include, but is not limited to, the transfer, lease, or sale
35 of some or all of the property to another governmental agency, public
36 development authority, or nonprofit developer approved by the
37 department and partner agencies. The department may also partner with
38 sound transit, King county, the city of Kirkland, and any other

1 federal, regional, or local jurisdiction on any policy changes
2 necessary from those jurisdictions to facilitate the pilot project.
3 By December 1, 2019, the department must report to the legislature on
4 any legislative actions necessary to facilitate the pilot project and
5 future transit oriented development projects.

6 (3) (~~(\$2,000,000)~~) \$100,000 of the electric vehicle account—state
7 appropriation is provided solely for the clean alternative fuel
8 vehicle charging and refueling infrastructure program in chapter 287,
9 Laws of 2019 (advancing green transportation adoption).

10 (4) (~~(\$1,200,000 of the multimodal transportation account—state~~
11 ~~appropriation is provided solely for the pilot program established~~
12 ~~under chapter 287, Laws of 2019 (advancing green transportation~~
13 ~~adoption) to provide clean alternative fuel vehicle use opportunities~~
14 ~~to underserved communities and low to moderate income members of the~~
15 ~~workforce not readily served by transit or located in transportation~~
16 ~~corridors with emissions that exceed federal or state emissions~~
17 ~~standards.~~

18 (5) ~~\$84,000 of the multimodal transportation account—state~~
19 ~~appropriation is provided solely for an interagency transfer to the~~
20 ~~department of commerce for the purpose of conducting a study as~~
21 ~~described in chapter 287, Laws of 2019 (advancing green~~
22 ~~transportation adoption) to identify opportunities to reduce barriers~~
23 ~~to electric vehicle adoption by lower income residents of the state~~
24 ~~through the use of vehicle and infrastructure financing assistance.~~

25 (6)) Building on the information and experience gained from the
26 transit oriented development project at the Kingsgate park and ride,
27 the department must identify a pilot park and ride with future
28 public-private partnership development potential in Pierce county and
29 report back to the transportation committees of the legislature by
30 June 30, 2021, with a proposal for moving forward with a pilot
31 project.

32 **Sec. 915.** 2020 c 219 s 215 (uncodified) is amended to read as
33 follows:

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

35 Motor Vehicle Account—State Appropriation	((\$486,514,000))
36	<u>\$461,472,000</u>
37 Motor Vehicle Account—Federal Appropriation	\$7,000,000
38 State Route Number 520 Corridor Account—State	

1	Appropriation	((\$4,447,000))
2		<u>\$4,422,000</u>
3	Tacoma Narrows Toll Bridge Account—State	
4	Appropriation	((\$1,549,000))
5		<u>\$1,539,000</u>
6	Alaskan Way Viaduct Replacement Project	
7	Account—State Appropriation	((\$9,537,000))
8		<u>\$8,844,000</u>
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$4,528,000
11	TOTAL APPROPRIATION.	((\$513,575,000))
12		<u>\$487,805,000</u>

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

15 (1) (a) \$6,170,000 of the motor vehicle account—state
16 appropriation is provided solely for utility fees assessed by local
17 governments as authorized under RCW 90.03.525 for the mitigation of
18 stormwater runoff from state highways. Plan and reporting
19 requirements as required in chapter 435, Laws of 2019 (Local
20 Stormwater Charges) shall be consistent with the January 2012
21 findings of the Joint Transportation Committee Report for Effective
22 Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in
23 Stormwater Management.

24 (b) Pursuant to RCW 90.03.525(3), the department and the
25 utilities imposing charges to the department shall negotiate with the
26 goal of agreeing to rates such that the total charges to the
27 department for the 2019-2021 fiscal biennium do not exceed the amount
28 provided in this subsection. The department shall report to the
29 transportation committees of the legislature on the amount of funds
30 requested, the funds granted, and the strategies used to keep costs
31 down, by January 17, 2021. If chapter 435, Laws of 2019 (local
32 stormwater charges) is enacted by June 30, 2019, this subsection
33 (1) (b) does not take effect.

34 (2) ((~~\$4,447,000~~)) \$4,422,000 of the state route number 520
35 corridor account—state appropriation is provided solely to maintain
36 the state route number 520 floating bridge. These funds must be used
37 in accordance with RCW 47.56.830(3).

38 (3) ((~~\$1,549,000~~)) \$1,539,000 of the Tacoma Narrows toll bridge
39 account—state appropriation is provided solely to maintain the new

1 Tacoma Narrows bridge. These funds must be used in accordance with
2 RCW 47.56.830(3).

3 (4) \$2,050,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation is provided solely to
5 maintain the Interstate 405 and state route number 167 express toll
6 lanes between Lynnwood and Bellevue, and Renton and the southernmost
7 point of the express toll lanes. These funds must be used in
8 accordance with RCW 47.56.830(3).

9 (5) \$2,478,000 of the Interstate 405 and state route number 167
10 express toll lanes account—state appropriation is provided solely for
11 maintenance for the 2019-2021 fiscal biennium only on the Interstate
12 405 roadway between Renton and Bellevue.

13 (6) \$5,000,000 of the motor vehicle account—state appropriation
14 is provided solely for a contingency pool for snow and ice removal.
15 The department must notify the office of financial management and the
16 transportation committees of the legislature when they have spent the
17 base budget for snow and ice removal and will begin using the
18 contingency pool funding.

19 (7) \$1,025,000 of the motor vehicle account—state appropriation
20 is provided solely for the department to implement safety
21 improvements and debris clean up on department-owned rights-of-way in
22 the city of Seattle at levels above that being implemented as of
23 January 1, 2019. The department must contract out or hire a crew
24 dedicated solely to collecting and disposing of garbage, clearing
25 debris or hazardous material, and implementing safety improvements
26 where hazards exist to the traveling public, department employees, or
27 people encamped upon department-owned rights-of-way. The department
28 may request assistance from the Washington state patrol as necessary
29 in order for both agencies to provide enhanced safety-related
30 activities regarding the emergency hazards along state highway
31 rights-of-way in the Seattle area.

32 (8) \$1,015,000 of the motor vehicle account—state appropriation
33 is provided solely for a partnership program between the department
34 and the city of Tacoma. The program shall address the safety and
35 public health problems created by homeless encampments on the
36 department's property along state highways within the city limits.
37 \$570,000 is for dedicated department maintenance staff and associated
38 clean-up costs. The department and the city of Tacoma shall enter

1 into a reimbursable agreement to cover up to \$445,000 of the city's
2 expenses for clean-up crews and landfill costs.

3 (9) The department must commence a pilot program for the
4 2019-2021 fiscal biennium at the four highest demand safety rest
5 areas to create and maintain an online calendar for volunteer groups
6 to check availability of weekends for the free coffee program. The
7 calendar must be updated at least weekly and show dates and times
8 that are, or are not, available to participate in the free coffee
9 program. The department must submit a report to the legislature on
10 the ongoing pilot by December 1, 2020, outlining the costs and
11 benefits of the online calendar pilot, and including surveys from the
12 volunteer groups and agency staff to determine its effectiveness.

13 **Sec. 916.** 2020 c 219 s 216 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
16 **OPERATING**

17	Motor Vehicle Account—State Appropriation	((\$76,211,000))
18		<u>\$73,219,000</u>
19	Motor Vehicle Account—Federal Appropriation	\$2,050,000
20	Motor Vehicle Account—Private/Local Appropriation	\$250,000
21	State Route Number 520 Corridor Account—State	
22	Appropriation.	((\$53,000))
23		<u>\$49,000</u>
24	Tacoma Narrows Toll Bridge Account—State Appropriation. .	((\$31,000))
25		<u>\$40,000</u>
26	Alaskan Way Viaduct Replacement Project Account—	
27	State Appropriation.	((\$26,000))
28		<u>\$32,000</u>
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	((\$32,000))
31		<u>\$21,000</u>
32	TOTAL APPROPRIATION.	((\$78,653,000))
33		<u>\$75,661,000</u>

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

36 (1) \$6,000,000 of the motor vehicle account—state appropriation
37 is provided solely for low-cost enhancements. The department shall
38 give priority to low-cost enhancement projects that improve safety or

1 provide congestion relief. By December 15th of each odd-numbered
2 year, the department shall provide a report to the legislature
3 listing all low-cost enhancement projects completed in the prior
4 fiscal biennium.

5 (2) (a) During the 2019-2021 fiscal biennium, the department shall
6 continue a pilot program that expands private transportation
7 providers' access to high occupancy vehicle lanes. Under the pilot
8 program, when the department reserves a portion of a highway based on
9 the number of passengers in a vehicle, the following vehicles must be
10 authorized to use the reserved portion of the highway if the vehicle
11 has the capacity to carry eight or more passengers, regardless of the
12 number of passengers in the vehicle: (i) Auto transportation company
13 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
14 carrier vehicles regulated under chapter 81.70 RCW, except marked or
15 unmarked stretch limousines and stretch sport utility vehicles as
16 defined under department of licensing rules; (iii) private nonprofit
17 transportation provider vehicles regulated under chapter 81.66 RCW;
18 and (iv) private employer transportation service vehicles. For
19 purposes of this subsection, "private employer transportation
20 service" means regularly scheduled, fixed-route transportation
21 service that is offered by an employer for the benefit of its
22 employees. Nothing in this subsection is intended to authorize the
23 conversion of public infrastructure to private, for-profit purposes
24 or to otherwise create an entitlement or other claim by private users
25 to public infrastructure.

26 (b) The department shall expand the high occupancy vehicle lane
27 access pilot program to vehicles that deliver or collect blood,
28 tissue, or blood components for a blood-collecting or distributing
29 establishment regulated under chapter 70.335 RCW. Under the pilot
30 program, when the department reserves a portion of a highway based on
31 the number of passengers in a vehicle, blood-collecting or
32 distributing establishment vehicles that are clearly and identifiably
33 marked as such on all sides of the vehicle are considered emergency
34 vehicles and must be authorized to use the reserved portion of the
35 highway.

36 (c) The department shall expand the high occupancy vehicle lane
37 access pilot program to organ transport vehicles transporting a time
38 urgent organ for an organ procurement organization as defined in RCW
39 68.64.010. Under the pilot program, when the department reserves a
40 portion of a highway based on the number of passengers in a vehicle,

1 organ transport vehicles that are clearly and identifiably marked as
2 such on all sides of the vehicle are considered emergency vehicles
3 and must be authorized to use the reserved portion of the highway.

4 (d) The department shall expand the high occupancy vehicle lane
5 access pilot program to private, for hire vehicles regulated under
6 chapter 81.72 RCW that have been specially manufactured, designed, or
7 modified for the transportation of a person who has a mobility
8 disability and uses a wheelchair or other assistive device. Under the
9 pilot program, when the department reserves a portion of a highway
10 based on the number of passengers in a vehicle, wheelchair-accessible
11 taxicabs that are clearly and identifiably marked as such on all
12 sides of the vehicle are considered public transportation vehicles
13 and must be authorized to use the reserved portion of the highway.

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

17 (3) When regional transit authority construction activities are
18 visible from a state highway, the department shall allow the regional
19 transit authority to place safe and appropriate signage informing the
20 public of the purpose of the construction activity.

21 (4) The department must make signage for low-height bridges a
22 high priority.

23 (5) (~~(\$32,000)~~) \$21,000 of the Interstate 405 and state route
24 number 167 express toll lanes account—state appropriation,
25 (~~(\$53,000)~~) \$49,000 of the state route number 520 corridor account—
26 state appropriation, (~~(\$31,000)~~) \$40,000 of the Tacoma Narrows toll
27 bridge account—state appropriation, and (~~(\$26,000)~~) \$32,000 of the
28 Alaskan Way viaduct replacement project account—state appropriation
29 are provided solely for the traffic operations program's proportional
30 share of time spent supporting tolling operations for the respective
31 tolling facilities.

32 **Sec. 917.** 2020 c 219 s 217 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
35 **SUPPORT—PROGRAM S**

36 Motor Vehicle Account—State Appropriation	((\$38,251,000))
37	<u>\$35,914,000</u>
38 Motor Vehicle Account—Federal Appropriation	\$1,380,000

1	Motor Vehicle Account—Private/Local Appropriation	\$500,000
2	Multimodal Transportation Account—State	
3	Appropriation	\$1,129,000
4	State Route Number 520 Corridor Account—State	
5	Appropriation.	(\$199,000)
6		<u>\$185,000</u>
7	Tacoma Narrows Toll Bridge Account—State Appropriation. (\$116,000)	
8		<u>\$150,000</u>
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation.	(\$100,000)
11		<u>\$121,000</u>
12	Interstate 405 and State Route Number 167 Express	
13	Toll Lanes Account—State Appropriation.	(\$119,000)
14		<u>\$78,000</u>
15	TOTAL APPROPRIATION.	(\$41,794,000)
16		<u>\$39,457,000</u>

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

19 (1) \$2,000,000 of the motor vehicle account—state appropriation
20 is provided solely for a grant program that makes awards for the
21 following: (a) Support for nonprofit agencies, churches, and other
22 entities to help provide outreach to populations underrepresented in
23 the current apprenticeship programs; (b) preapprenticeship training;
24 and (c) child care, transportation, and other supports that are
25 needed to help women, veterans, and minorities enter and succeed in
26 apprenticeship. The department must report on grants that have been
27 awarded and the amount of funds disbursed by December 1st each year.
28 If moneys are provided in the omnibus operating appropriations act
29 for a career connected learning grant program, defined in
30 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
31 otherwise, the amount provided in this subsection lapses.

32 (2) \$150,000 of the motor vehicle account—state appropriation is
33 provided solely for a user-centered and mobile-compatible web site
34 redesign using estimated web site ad revenues.

35 (3) From the revenues generated by the five dollar per studded
36 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—
37 state appropriation is provided solely for the department, in
38 consultation with the appropriate local jurisdictions and relevant
39 stakeholder groups, to establish a pilot media-based public

1 information campaign regarding the damage of studded tire use on
 2 state and local roadways in Whatcom county, and to continue the
 3 existing pilot information campaign in Spokane county. The reason for
 4 the geographic selection of Spokane and Whatcom counties is based on
 5 the high utilization of studded tires in these jurisdictions. The
 6 public information campaigns must primarily focus on making the
 7 consumer aware of the safety implications for other drivers, road
 8 deterioration, financial impact for taxpayers, and, secondarily, the
 9 alternatives to studded tires. The Whatcom county pilot media-based
 10 public information campaign must begin by September 1, 2020. By
 11 January 14, 2021, the department must provide the transportation
 12 committees of the legislature an update on the Spokane and Whatcom
 13 county pilot media-based public information campaigns.

14 (4) (~~(\$119,000)~~) \$78,000 of the Interstate 405 and state route
 15 number 167 express toll lanes account—state appropriation,
 16 (~~(\$199,000)~~) \$185,000 of the state route number 520 corridor account—
 17 state appropriation, (~~(\$116,000)~~) \$150,000 of the Tacoma Narrows toll
 18 bridge account—state appropriation, and (~~(\$100,000)~~) \$121,000 of the
 19 Alaskan Way viaduct replacement project account—state appropriation
 20 are provided solely for the transportation management and support
 21 program's proportional share of time spent supporting tolling
 22 operations for the respective tolling facilities.

23 **Sec. 918.** 2020 c 219 s 218 (uncodified) is amended to read as
 24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
 26 **AND RESEARCH—PROGRAM T**

27 Interstate 405 and State Route Number 167 Express Toll Lanes

28	Account—State Appropriation	((\$3,123,000))
29		<u>\$121,000</u>
30	Motor Vehicle Account—State Appropriation	((\$26,587,000))
31		<u>\$24,053,000</u>
32	Motor Vehicle Account—Federal Appropriation	((\$35,385,000))
33		<u>\$32,508,000</u>
34	Motor Vehicle Account—Private/Local Appropriation	\$1,200,000
35	Multimodal Transportation Account—State Appropriation	\$710,000
36	Multimodal Transportation Account—Federal	
37	Appropriation	\$2,809,000
38	Multimodal Transportation Account—Private/Local	

1	Appropriation	\$100,000
2	State Route Number 520 Corridor Account—State	
3	Appropriation.	((\$763,000))
4		<u>\$150,000</u>
5	((Tacoma Narrows Toll Bridge Account—State Appropriation.	\$121,000
6	Alaskan Way Viaduct Replacement Project Account—	
7	State Appropriation.	\$104,000))
8	TOTAL APPROPRIATION.	((\$70,902,000))
9		<u>\$61,651,000</u>

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

12 (1) \$130,000 of the motor vehicle account—state appropriation is
13 provided solely for completion of a corridor study to identify
14 potential improvements between exit 116 and exit 99 of Interstate 5.
15 The study should further develop mid- and long-term strategies from
16 the corridor sketch, and identify potential US 101/I-5 interchange
17 improvements, a strategic plan for the Nisqually River bridges,
18 regional congestion relief options, and ecosystem benefits to the
19 Nisqually River estuary for salmon productivity and flood control.

20 (2) The study on state route number 518 referenced in section
21 218(5), chapter 297, Laws of 2018 must be submitted to the
22 transportation committees of the legislature by November 30, 2019.

23 (3) \$100,000 of the motor vehicle account—state appropriation is
24 provided solely to complete the Tacoma mall direct access feasibility
25 study.

26 (4) ((~~\$4,600,000~~)) \$673,000 of the motor vehicle account—federal
27 appropriation is provided solely to complete the road usage charge
28 pilot project overseen by the transportation commission using the
29 remaining unspent amount of the federal grant award. The purpose of
30 the road usage charge pilot project is to explore the viability of a
31 road usage charge as a possible replacement for the gas tax.

32 (5) \$1,050,000 of the motor vehicle account—federal appropriation
33 is provided solely for the Forward Drive road usage charge research
34 project overseen by the transportation commission using a portion of
35 the amount of the federal grant award. The purpose of the Forward
36 Drive road usage charge research project is to advance research in
37 key policy areas related to road usage charge including assessing
38 impacts of future mobility shifts on road usage charge revenues,
39 conducting an equity analysis, updating and assessing emerging

1 mileage reporting methods, determining opportunities to reduce cost
2 of collection, conducting small-scale pilot tests, and identifying a
3 long-term, detailed phase-in plan.

4 ~~((\$3,000,000))~~ (6) \$121,000 of the Interstate 405 and state route
5 number 167 express toll lanes account—state appropriation is provided
6 solely for updating the state route number 167 master plan. If
7 chapter 421, Laws of 2019 (addressing tolling) is not enacted by June
8 30, 2019, the amount provided in this subsection lapses.

9 ~~(((6) \$123,000 of the Interstate 405 and state route number 167~~
10 ~~express toll lanes account—state appropriation, \$207,000 of the state~~
11 ~~route number 520 corridor account—state appropriation, \$121,000 of~~
12 ~~the Tacoma Narrows toll bridge account—state appropriation, and~~
13 ~~\$104,000 of the Alaskan Way viaduct replacement project account—state~~
14 ~~appropriation are provided solely for the transportation planning,~~
15 ~~data, and research program's proportional share of time spent~~
16 ~~supporting tolling operations for the respective tolling~~
17 ~~facilities.))~~

18 (7) By December 31, 2020, the department shall provide to the
19 governor and the transportation committees of the legislature a
20 report examining the feasibility of doing performance-based
21 evaluations for projects. The department must incorporate feedback
22 from stakeholder groups, including traditionally underserved and
23 historically disadvantaged populations, and the report shall include
24 the project evaluation procedures that would be used for the
25 performance-based evaluation.

26 (8) ~~((\$556,000))~~ \$150,000 of the state route number 520 corridor
27 account—state appropriation is provided solely for the department to
28 contract with the University of Washington department of mechanical
29 engineering, to study measures to reduce noise impacts from the state
30 route number 520 bridge expansion joints. The field testing shall be
31 scheduled during existing construction, maintenance, or other
32 scheduled closures to minimize impacts. The testing must also ensure
33 safety of the traveling public. The study shall examine testing
34 methodologies and project timelines and costs. A final report must be
35 submitted to the transportation committees of the legislature and the
36 governor by ~~((December))~~ March 1, ((2021)) 2022.

37 (9) \$5,900,000 of the motor vehicle account—federal appropriation
38 and \$400,000 of the motor vehicle account—private/local appropriation
39 are provided solely for delivery of the department's state planning

1 and research work program and pooled fund research projects, provided
2 that the department may not expend any amounts provided in this
3 section on a long-range plan or corridor scenario analysis for I-5
4 from Tumwater to Marysville. This is not intended to reference or
5 impact: The existing I-5 corridor from Mounts road to Tumwater design
6 and operations alternatives analysis; design studies related to HOV
7 lanes or operations; or where it is necessary to continue design and
8 operations analysis related to projects already under development.

9 **Sec. 919.** 2020 c 219 s 219 (uncodified) is amended to read as
10 follows:

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

13 Motor Vehicle Account—State Appropriation	((\$79,474,000))
	<u>\$82,467,000</u>
15 Multimodal Transportation Account—State	
16 Appropriation	\$2,833,000
17 Interstate 405 and State Route Number 167 Express	
18 Toll Lanes Account—State Appropriation.	((\$122,000))
	<u>\$9,000</u>
20 State Route Number 520 Corridor Account—State	
21 Appropriation.	((\$205,000))
	<u>\$22,000</u>
23 Tacoma Narrows Toll Bridge Account—State	
24 Appropriation.	((\$120,000))
	<u>\$17,000</u>
26 Alaskan Way Viaduct Replacement Project Account—State	
27 Appropriation.	((\$102,000))
	<u>\$14,000</u>
29 TOTAL APPROPRIATION.	((\$82,856,000))
	<u>\$85,362,000</u>

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

33 (1) Consistent with existing protocol and practices, for any
34 negotiated settlement of a claim against the state for the department
35 that exceeds five million dollars, the department, in conjunction
36 with the attorney general and the department of enterprise services,
37 shall notify the director of the office of financial management and
38 the transportation committees of the legislature.

1 (2) Beginning October 1, 2019, and quarterly thereafter, the
2 department, in conjunction with the attorney general and the
3 department of enterprise services, shall provide a report with
4 judgments and settlements dealing with the Washington state ferry
5 system to the director of the office of financial management and the
6 transportation committees of the legislature. The report must include
7 information on: (a) The number of claims and settlements by type; (b)
8 the average claim and settlement by type; (c) defense costs
9 associated with those claims and settlements; and (d) information on
10 the impacts of moving legal costs associated with the Washington
11 state ferry system into the statewide self-insurance pool.

12 (3) Beginning October 1, 2019, and quarterly thereafter, the
13 department, in conjunction with the attorney general and the
14 department of enterprise services, shall provide a report with
15 judgments and settlements dealing with the nonferry operations of the
16 department to the director of the office of financial management and
17 the transportation committees of the legislature. The report must
18 include information on: (a) The number of claims and settlements by
19 type; (b) the average claim and settlement by type; and (c) defense
20 costs associated with those claims and settlements.

21 (4) (~~(\$122,000)~~) \$9,000 of the Interstate 405 and state route
22 number 167 express toll lanes account—state appropriation,
23 (~~(\$205,000)~~) \$22,000 of the state route number 520 corridor account—
24 state appropriation, (~~(\$120,000)~~) \$17,000 of the Tacoma Narrows toll
25 bridge account—state appropriation, and (~~(\$102,000)~~) \$14,000 of the
26 Alaskan Way viaduct replacement project account—state appropriation
27 are provided solely for the charges from other agencies' program's
28 proportional share of supporting tolling operations for the
29 respective tolling facilities.

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

35 **Sec. 920.** 2020 c 219 s 220 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**
38 State Vehicle Parking Account—State Appropriation \$784,000

1	Regional Mobility Grant Program Account—State	
2	Appropriation	((\$88,698,000))
3		<u>\$78,159,000</u>
4	Rural Mobility Grant Program Account—State	
5	Appropriation	\$32,223,000
6	Multimodal Transportation Account—State	
7	Appropriation	((\$122,355,000))
8		<u>\$115,948,000</u>
9	Multimodal Transportation Account—Federal	
10	Appropriation	\$3,574,000
11	Multimodal Transportation Account—Local	
12	Appropriation	\$100,000
13	TOTAL APPROPRIATION.	((\$247,734,000))
14		<u>\$230,788,000</u>

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

17 (1) \$62,698,000 of the multimodal transportation account—state
18 appropriation is provided solely for a grant program for special
19 needs transportation provided by transit agencies and nonprofit
20 providers of transportation. Of this amount:

21 (a) \$14,297,000 of the multimodal transportation account—state
22 appropriation is provided solely for grants to nonprofit providers of
23 special needs transportation. Grants for nonprofit providers must be
24 based on need, including the availability of other providers of
25 service in the area, efforts to coordinate trips among providers and
26 riders, and the cost effectiveness of trips provided. Fuel type may
27 not be a factor in the grant selection process.

28 (b) \$48,401,000 of the multimodal transportation account—state
29 appropriation is provided solely for grants to transit agencies to
30 transport persons with special transportation needs. To receive a
31 grant, the transit agency must, to the greatest extent practicable,
32 have a maintenance of effort for special needs transportation that is
33 no less than the previous year's maintenance of effort for special
34 needs transportation. Grants for transit agencies must be prorated
35 based on the amount expended for demand response service and route
36 deviated service in calendar year 2017 as reported in the "Summary of
37 Public Transportation - 2017" published by the department of
38 transportation. No transit agency may receive more than thirty

1 percent of these distributions. Fuel type may not be a factor in the
2 grant selection process.

3 (2) \$32,223,000 of the rural mobility grant program account—state
4 appropriation is provided solely for grants to aid small cities in
5 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
6 factor in the grant selection process.

7 (3) (a) \$10,539,000 of the multimodal transportation account—state
8 appropriation is provided solely for a vanpool grant program for: (i)
9 Public transit agencies to add vanpools or replace vans; and (ii)
10 incentives for employers to increase employee vanpool use. The grant
11 program for public transit agencies will cover capital costs only;
12 operating costs for public transit agencies are not eligible for
13 funding under this grant program. Additional employees may not be
14 hired from the funds provided in this section for the vanpool grant
15 program, and supplanting of transit funds currently funding vanpools
16 is not allowed. The department shall encourage grant applicants and
17 recipients to leverage funds other than state funds. Fuel type may
18 not be a factor in the grant selection process.

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

21 (4) \$27,483,000 of the regional mobility grant program account—
22 state appropriation is reappropriated and provided solely for the
23 regional mobility grant projects identified in LEAP Transportation
24 Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~))
25 April 23, 2021, Program - Public Transportation Program (V).

26 (5) (a) ((~~\$61,215,000~~)) \$50,676,000 of the regional mobility grant
27 program account—state appropriation is provided solely for the
28 regional mobility grant projects identified in LEAP Transportation
29 Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~))
30 April 23, 2021, Program - Public Transportation Program (V). The
31 department shall review all projects receiving grant awards under
32 this program at least semiannually to determine whether the projects
33 are making satisfactory progress. Any project that has been awarded
34 funds, but does not report activity on the project within one year of
35 the grant award, must be reviewed by the department to determine
36 whether the grant should be terminated. The department shall promptly
37 close out grants when projects have been completed, and any remaining
38 funds must be used only to fund projects identified in the LEAP
39 transportation document referenced in this subsection. The department

1 shall provide annual status reports on December 15, 2019, and
2 December 15, 2020, to the office of financial management and the
3 transportation committees of the legislature regarding the projects
4 receiving the grants. It is the intent of the legislature to
5 appropriate funds through the regional mobility grant program only
6 for projects that will be completed on schedule. A grantee may not
7 receive more than twenty-five percent of the amount appropriated in
8 this subsection. (~~Additionally, when allocating funding for the~~
9 ~~2021-2023 biennium, no more than thirty percent of the total grant~~
10 ~~program may directly benefit or support one grantee.~~) The department
11 shall not approve any increases or changes to the scope of a project
12 for the purpose of a grantee expending remaining funds on an awarded
13 grant. Fuel type may not be a factor in the grant selection process.

14 (b) In order to be eligible to receive a grant under (a) of this
15 subsection during the 2019-2021 fiscal biennium, a transit agency
16 must establish a process for private transportation providers to
17 apply for the use of park and ride facilities. For purposes of this
18 subsection, (i) "private transportation provider" means: An auto
19 transportation company regulated under chapter 81.68 RCW; a passenger
20 charter carrier regulated under chapter 81.70 RCW, except marked or
21 unmarked stretch limousines and stretch sport utility vehicles as
22 defined under department of licensing rules; a private nonprofit
23 transportation provider regulated under chapter 81.66 RCW; or a
24 private employer transportation service provider; and (ii) "private
25 employer transportation service" means regularly scheduled, fixed-
26 route transportation service that is offered by an employer for the
27 benefit of its employees.

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

31 (7) \$7,670,000 of the multimodal transportation account—state
32 appropriation and \$784,000 of the state vehicle parking account—state
33 appropriation are provided solely for CTR grants and activities. Fuel
34 type may not be a factor in the grant selection process. Of this
35 amount:

36 (a) \$1,000,000 of the multimodal transportation account—state
37 appropriation is provided solely for the department to continue a
38 pilot transit pass incentive program. Businesses and nonprofit
39 organizations located in a county adjacent to Puget Sound with a

1 population of more than seven hundred thousand that have never
2 offered transit subsidies to employees are eligible to apply to the
3 program for a fifty percent rebate on the cost of employee transit
4 subsidies provided through the regional ORCA fare collection system.
5 No single business or nonprofit organization may receive more than
6 ten thousand dollars from the program.

7 (i) Businesses and nonprofit organizations may apply and be
8 awarded funds prior to purchasing a transit subsidy, but the
9 department may not provide reimbursement until proof of purchase or a
10 contract has been provided to the department.

11 (ii) The department shall update the transportation committees of
12 the legislature on the impact of the program by January 31, 2020, and
13 may adopt rules to administer the program.

14 (b) \$30,000 of the state vehicle parking account—state
15 appropriation is provided solely for the STAR pass program for state
16 employees residing in Mason and Grays Harbor Counties. Use of the
17 pass is for public transportation between Mason County and Thurston
18 County, and Grays Harbor and Thurston County. The pass may also be
19 used within Grays Harbor County. The STAR pass commute trip reduction
20 program is open to any state employee who expresses intent to commute
21 to his or her assigned state worksite using a public transit system
22 currently participating in the STAR pass program.

23 (c) (~~(\$1,000,000)~~) \$200,000 of the multimodal transportation
24 account—state appropriation is provided solely for a first mile/last
25 mile connections grant program. Eligible grant recipients include
26 cities, businesses, nonprofits, and transportation network companies
27 with first mile/last mile solution proposals. Transit agencies are
28 not eligible. The commute trip reduction board shall develop grant
29 parameters, evaluation criteria, and evaluate grant proposals. The
30 commute trip reduction board shall provide the transportation
31 committees of the legislature a report on the effectiveness of this
32 grant program and best practices for continuing the program.

33 (8) Except as provided otherwise in this subsection,
34 (~~(\$33,370,000)~~) \$32,008,000 of the multimodal transportation account—
35 state appropriation is provided solely for connecting Washington
36 transit projects identified in LEAP Transportation Document ((2020))
37 2021-2 ALL PROJECTS as developed (~~(March 11, 2020)~~) April 23, 2021.
38 It is the intent of the legislature that entities identified to
39 receive funding in the LEAP document referenced in this subsection

1 receive the amounts specified in the time frame specified in that
2 LEAP document. If an entity has already completed a project in the
3 LEAP document referenced in this subsection before the time frame
4 identified, the entity may substitute another transit project or
5 projects that cost a similar or lesser amount.

6 (9) \$1,000,000 of the multimodal transportation account—state
7 appropriation is provided solely for transit coordination grants.
8 Fuel type may not be a factor in the grant selection process.

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

11 (11)(a) For projects funded as part of the 2015 connecting
12 Washington transportation package listed on the LEAP transportation
13 document identified in subsection (4) of this section, if the
14 department expects to have substantial reappropriations for the
15 2021-2023 fiscal biennium, the department may, on a pilot basis,
16 apply funding from a project with an appropriation that cannot be
17 used for the current fiscal biennium to advance one or more of the
18 following projects:

19 (i) King County Metro - RapidRide Expansion, Burien-Delridge
20 (G2000031);

21 (ii) King County Metro - Route 40 Northgate to Downtown
22 (G2000032);

23 (iii) Mason Transit Park & Ride Development (G2000042); or

24 (iv) Pierce Transit - SR 7 Express Service (G2000045).

25 (b) At least ten business days before advancing a project
26 pursuant to this subsection, the department must notify the office of
27 financial management and the transportation committees of the
28 legislature. The advancement of a project may not hinder the delivery
29 of the projects for which the reappropriations are necessary for the
30 2021-2023 fiscal biennium.

31 (c) To the extent practicable, the department shall use the
32 flexibility and authority granted in this section to minimize the
33 amount of reappropriations needed each biennium.

34 (12) \$750,000 of the multimodal transportation account—state
35 appropriation is provided solely for Intercity Transit for the Dash
36 shuttle program.

37 (13)(a) \$485,000 of the multimodal transportation account—state
38 appropriation is provided solely for King county for:

1 (i) An expanded pilot program to provide certain students in the
2 Highline, Tukwila, and Lake Washington school districts with an ORCA
3 card during these school districts' summer vacations. In order to be
4 eligible for an ORCA card under this program, a student must also be
5 in high school, be eligible for free and reduced-price lunches, and
6 have a job or other responsibility during the summer; and

7 (ii) Providing administrative support to other interested school
8 districts in King county to prepare for implementing similar programs
9 for their students.

10 (b) King county must provide a report to the department and the
11 transportation committees of the legislature by December 15, 2021,
12 regarding:

13 (i) The annual student usage of the pilot program;

14 (ii) Available ridership data;

15 (iii) A cost estimate, including a detailed description of the
16 various expenses leading to the cost estimate, and any other factors
17 relevant to expanding the program to other King county school
18 districts;

19 (iv) A cost estimate, including a detailed description of the
20 various expenses leading to the cost estimate, and any other factors
21 relevant to expanding the program to student populations other than
22 high school or eligible for free and reduced-price lunches;

23 (v) Opportunities for subsidized ORCA cards or local grant or
24 matching funds; and

25 (vi) Any additional information that would help determine if the
26 pilot program should be extended or expanded.

27 (14) (~~(\$12,000,000)~~) \$7,007,000 of the multimodal transportation
28 account—state appropriation is provided solely for the green
29 transportation capital grant program established in chapter 287, Laws
30 of 2019 (advancing green transportation adoption).

31 (15) \$555,000 of the multimodal transportation account—state
32 appropriation is provided solely for an interagency transfer to the
33 Washington State University extension energy program to establish and
34 administer a technical assistance and education program for public
35 agencies on the use of alternative fuel vehicles.

36 (~~(17)~~) (16) The appropriations in this section include savings
37 due to anticipated project underruns; however, it is unknown which
38 projects will provide savings. The legislature intends to provide
39 sufficient flexibility for the department to manage to this savings
40 target. To provide this flexibility, the office of financial

1 management may authorize, through an allotment modification,
2 reductions in the appropriated amounts that are provided solely for a
3 particular purpose within this section subject to the following
4 conditions and limitations:

5 (a) No allotment modifications may be made to amounts provided
6 solely for the special needs transportation grant program;

7 (b) The department must confirm that any modification requested
8 under this subsection of amounts provided solely for a specific
9 purpose are not expected to be used for that purpose in this
10 biennium;

11 (c) Allotment modifications authorized under this subsection may
12 not result in increased funding for any project beyond the amount
13 provided for that project in the 2019-2021 fiscal biennium in LEAP
14 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
15 ((March 11, 2020)) April 23, 2021;

16 (d) Allotment modifications authorized under this subsection
17 apply only to amounts appropriated in this section from the
18 multimodal transportation account—state; and

19 (e) By December 1, 2020, the department must submit a report to
20 the transportation committees of the legislature regarding the
21 actions taken under this subsection.

22 ((~~(18)~~)) (17) (a) The Washington state department of
23 transportation public transportation division, working with the
24 Thurston regional planning council, shall provide state agency
25 management, the office of financial management, and the
26 transportation committees of the legislature with results of their
27 regional mobility grant program demonstration project I-5/US 101
28 Practical Solutions: State Capitol Campus Transportation Demand
29 Management - Mobile Work. This includes reporting after the 2020
30 legislative session on the measurable results of an early pilot
31 initiative, "Telework Tuesday," beginning in January 2020.

32 (b) Capitol campus state agency management is directed to fully
33 participate in this work, which aims to reduce greenhouse gases,
34 require less office space and parking investments; provide low cost
35 congestion relief on I-5 during peak periods, US 101, and the local
36 transportation network; and improve retention and recruitment of
37 public employees. The agencies should actively: Encourage employees
38 qualified to telework to participate in this program and increase the
39 number of employees who qualify for mobile work and schedule shifts.

1 (c) If measurable success is achieved, the capitol campus state
2 agencies shall provide options to expand the project to other
3 jurisdictions concentrated with large employers. Expansion and
4 encouragement of telework will help reduce demand on the
5 transportation system, reduce traffic during peak hours, and reduce
6 greenhouse gas emissions.

7 **Sec. 921.** 2020 c 219 s 221 (uncodified) is amended to read as
8 follows:

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

10 Motor Vehicle Account—State Appropriation.	\$250,000
11 Puget Sound Ferry Operations Account—State	
12 Appropriation	(\$545,997,000)
13	<u>\$486,710,000</u>
14 Puget Sound Ferry Operations Account—Federal	
15 Appropriation	(\$7,932,000)
16	<u>\$47,169,000</u>
17 Puget Sound Ferry Operations Account—Private/Local	
18 Appropriation	\$121,000
19 TOTAL APPROPRIATION.	(\$554,300,000)
20	<u>\$534,250,000</u>

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

23 (1) The office of financial management budget instructions
24 require agencies to recast enacted budgets into activities. The
25 Washington state ferries shall include a greater level of detail in
26 its 2019-2021 supplemental and 2021-2023 omnibus transportation
27 appropriations act requests, as determined jointly by the office of
28 financial management, the Washington state ferries, and the
29 transportation committees of the legislature. This level of detail
30 must include the administrative functions in the operating as well as
31 capital programs.

32 (2) For the 2019-2021 fiscal biennium, the department may enter
33 into a distributor controlled fuel hedging program and other methods
34 of hedging approved by the fuel hedging committee, which must include
35 a representative of the department of enterprise services.

36 (3) ~~(\$73,161,000)~~ \$67,052,000 of the Puget Sound ferry
37 operations account—state appropriation is provided solely for auto
38 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which

1 reflect cost savings from a reduced biodiesel fuel requirement and,
2 therefore, is contingent upon the enactment of section 703, chapter
3 416, Laws of 2019. The amount provided in this subsection represents
4 the fuel budget for the purposes of calculating any ferry fare fuel
5 surcharge. The department shall review future use of alternative
6 fuels and dual fuel configurations, including hydrogen.

7 (4) \$650,000 of the Puget sound ferry operations account—state
8 appropriation is provided solely for increased staffing at Washington
9 ferry terminals to meet increased workload and customer expectations.
10 Within the amount provided in this subsection, the department shall
11 contract with uniformed officers for additional traffic control
12 assistance at the Kingston ferry terminal during peak ferry travel
13 times, with a particular focus on Sundays and holiday weekends.
14 Traffic control methods should include, but not be limited to,
15 holding traffic on the shoulder at Lindvog Road until space opens for
16 cars at the tollbooths and dock, and management of traffic on Highway
17 104 in order to ensure Kingston residents and business owners have
18 access to businesses, roads, and driveways.

19 (5) \$254,000 of the Puget Sound ferry operations account—state
20 appropriation is provided solely for a dedicated inventory logistics
21 manager on a one-time basis.

22 (6) \$500,000 of the Puget Sound ferry operations account—state
23 appropriation is provided solely for operating costs related to
24 moving vessels for emergency capital repairs. Funds may only be spent
25 after approval by the office of financial management.

26 (7) By January 1, 2020, the ferries division must submit a
27 workforce plan for reducing overtime due to shortages of staff
28 available to fill vacant crew positions. The plan must include
29 numbers of crew positions being filled by staff working overtime,
30 strategies for filling these positions with straight time employees,
31 progress toward implementing those strategies, and a forecast for
32 when overtime expenditures will return to historical averages.

33 (8) \$160,000 of the Puget Sound ferry operations account—state
34 appropriation is provided solely for a ferry fleet baseline noise
35 study, conducted by a consultant, for the purpose of establishing
36 plans and data-driven goals to reduce ferry noise when Southern
37 resident orca whales are present. In addition, the study must
38 establish prioritized strategies to address vessels serving routes
39 with the greatest exposure to orca whale movements.

1 (9) (a) \$250,000 of the motor vehicle account—state appropriation
2 is provided solely for the department, in consultation with the
3 Washington state transportation center, to develop a plan for service
4 on the triangle route with a goal of providing maximum sailings
5 moving the most passengers to all stops in the least travel time,
6 including waits between sailings, within budget and resource
7 constraints.

8 (b) The Washington state transportation center must use new
9 traffic management models and scheduling tools to examine proposed
10 improvements for the triangle route. The department shall report to
11 the standing transportation committees of the legislature by January
12 15, 2021. The report must include:

13 (i) Implementation and status of data collection, modeling,
14 scheduling, capital investments, and procedural improvements to allow
15 Washington state ferries to schedule more sailings to and from all
16 stops on the triangle route with minimum time between sailings;

17 (ii) Recommendations for emergency boat allocations, regular
18 schedule policies, and emergency schedule policies based on all
19 customers alternative travel options to ensure that any dock with no
20 road access is prioritized in scheduling and scheduled service is
21 provided based on population size, demographics, and local medical
22 services;

23 (iii) Triangle route pilot economic analysis of Washington state
24 ferries fare revenue and fuel cost impact of offering additional,
25 better spaced sailings;

26 (iv) Results of an economic analysis of the return on investment
27 of potentially acquiring and using traffic control infrastructure,
28 technology, walk on loading bridges, and Good-to-Go and ORCA
29 replacement of current fare sales, validation, collections,
30 accounting, and all associated labor and benefits costs that can be
31 saved via those capital investments; and

32 (v) Recommendation on policies, procedures, or agency
33 interpretations of statute that may be adopted to mitigate any delays
34 or disruptions to scheduled sailings.

35 (10) \$15,139,000 of the Puget Sound ferry operations account—
36 state appropriation is provided solely for training. Of the amount
37 provided in this subsection:

38 (a) \$2,500,000 is for training for new employees.

39 (b) \$160,000 is for electronic chart display and information
40 system training.

- 1 (c) \$379,000 is for marine evacuation slide training.
- 2 (11) \$1,600,000 of the Puget Sound ferry operations account—state
3 appropriation is provided solely for naval architecture staff support
4 for the marine maintenance program.
- 5 (12) \$336,000 of the Puget Sound ferry operations account—state
6 appropriation is provided solely for inspections of fall restraint
7 systems.
- 8 (13) \$4,361,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for overtime expenses incurred by
10 engine and deck crew members.
- 11 (14) \$1,200,000 of the Puget Sound ferry operations account—state
12 appropriation is provided solely for familiarization for new
13 assignments of engine crew and terminal staff.
- 14 (15) \$100,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely to develop a plan for upgrading a
16 second vessel to meet the international convention for the safety of
17 life at sea standards. The plan must identify the option with the
18 lowest impacts to sailing schedules.
- 19 (16) The department must request reimbursement from the federal
20 transit administration for the maximum amount of ferry operating
21 expenses eligible for reimbursement under federal law.

22 **Sec. 922.** 2020 c 219 s 222 (uncodified) is amended to read as
23 follows:

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

25 Multimodal Transportation Account—State

26	Appropriation	((\$70,244,000))
27		<u>\$45,883,000</u>
28	Multimodal Transportation Account—Private/Local	
29	Appropriation	\$717,000
30	((Multimodal Transportation Account—Federal	
31	Appropriation	\$500,000))
32	TOTAL APPROPRIATION.	((\$71,461,000))
33		<u>\$46,600,000</u>

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

- 36 (1) (a) (i) \$224,000 of the multimodal transportation account—state
37 appropriation and \$671,000 of the multimodal transportation account—
38 private/local appropriation are provided solely for continued

1 analysis of the ultra high-speed ground transportation corridor in a
2 new study, with participation from Washington, Oregon, and British
3 Columbia. No funds may be expended until the department is in receipt
4 of \$671,000 in private/local funding provided solely for this
5 purpose.

6 (ii) The ultra high-speed ground transportation corridor advisory
7 group must include legislative membership.

8 (iii) "Ultra high-speed" means a maximum testing speed of at
9 least two hundred fifty miles per hour.

10 (b) The study must consist of the following:

11 (i) Development of proposed corridor governance, general powers,
12 operating structure, legal instruments, and contracting requirements,
13 in the context of the roles of relevant jurisdictions, including
14 federal, state, provincial, and local governments;

15 (ii) Development of a long-term funding and financing strategy
16 for project initiation, development, construction, and program
17 administration of the high-speed corridor, building on the funding
18 and financing chapter of the 2019 business case analysis and aligned
19 with the recommendations of (b) (i) of this subsection; and

20 (iii) Development of recommendations for a department-led ultra-
21 high speed corridor engagement plan for policy leadership from
22 elected officials.

23 (c) This study must build on the results of the 2018 Washington
24 state ultra high-speed ground transportation business case analysis
25 and the 2019 Washington state ultra high-speed ground transportation
26 study findings report. The department shall consult with the
27 transportation committees of the legislature regarding all issues
28 related to proposed corridor governance.

29 (d) The development work referenced in (b) of this subsection is
30 intended to identify and make recommendations related to specific
31 entities, including interjurisdictional entities, policies, and
32 processes required for the purposes of furthering preliminary
33 analysis efforts for the ultra high-speed ground transportation
34 corridor. This development work is not intended to authorize one or
35 more entities to assume decision making authority for the design,
36 construction, or operation of an ultra high-speed rail corridor.

37 (e) By December 1, 2020, the department shall provide to the
38 governor and the transportation committees of the legislature a
39 report of the study's findings regarding the three elements noted in
40 this subsection. As applicable, the report should also be sent to the

1 executive and legislative branches of government in the state of
2 Oregon and appropriate government bodies in the province of British
3 Columbia.

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

15 **Sec. 923.** 2020 c 219 s 223 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
18 **OPERATING**

19	Motor Vehicle Account—State Appropriation	((\$12,187,000))
20		<u>\$11,854,000</u>
21	Motor Vehicle Account—Federal Appropriation	\$2,567,000
22	Multiuse Roadway Safety Account—State Appropriation	\$450,000
23	Multimodal Transportation Account—State	
24	Appropriation	\$350,000
25	TOTAL APPROPRIATION.	((\$15,554,000))
26		<u>\$15,221,000</u>

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

29 (1) \$350,000 of the multimodal transportation account—state
30 appropriation is provided solely for a study by the Puget Sound
31 regional council of new passenger ferry service to better connect
32 communities throughout the twelve county Puget Sound region. The
33 study must assess potential new routes, identify future terminal
34 locations, and provide recommendations to accelerate the
35 electrification of the ferry fleet. The study must identify future
36 passenger only demand throughout Western Washington, analyze
37 potential routes and terminal locations on Puget Sound, Lake
38 Washington, and Lake Union with an emphasis on preserving waterfront

1 opportunities in public ownership and opportunities for partnership.
2 The study must determine whether and when the passenger ferry service
3 achieves a net reduction in carbon emissions including an analysis of
4 the emissions of modes that passengers would otherwise have used. The
5 study must estimate capital and operating costs for routes and
6 terminals. The study must include early and continuous outreach with
7 all interested stakeholders and a report to the legislature and all
8 interested parties by January 31, 2021.

9 (2) \$1,142,000 of the motor vehicle account—state appropriation
10 is provided solely for the department, from amounts set aside out of
11 statewide fuel taxes distributed to counties according to RCW
12 46.68.120(3), to contract with the Washington state association of
13 counties to:

14 (a) In coordination with stakeholders, identify county-owned fish
15 passage barriers, with priority given to barriers that share the same
16 stream system as state-owned fish passage barriers. The study must
17 identify, map, and provide a preliminary assessment of county-owned
18 barriers that need correction, and provide, where possible,
19 preliminary costs estimates for each barrier correction. The study
20 must provide recommendations on:

21 (i) How to prioritize county-owned barriers within the same
22 stream system of state-owned barriers in the current six-year
23 construction plan to maximize state investment; and

24 (ii) How future state six-year construction plans should
25 incorporate county-owned barriers;

26 (b) Update the local agency guidelines manual, including
27 exploring alternatives within the local agency guidelines manual on
28 county priorities;

29 (c) Study the current state of county transportation funding,
30 identify emerging issues, and identify potential future alternative
31 transportation fuel funding sources to meet current and future needs.

32 (3) The entire multiuse roadway safety account—state
33 appropriation is provided solely for grants under RCW 46.09.540,
34 subject to the following limitations:

35 (a) Twenty-five percent of the amounts provided are reserved for
36 counties that each have a population of fifteen thousand persons or
37 less;

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

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

(4) \$280,000 of the motor vehicle account—state appropriation is provided solely for Wahkiakum county for operation of the ferry between Puget Island and Westport, Oregon. These funds are provided outside the existing continuing agreement described in RCW 47.56.720, are not appropriated for that purpose, and therefore do not constitute payments under the agreement.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 1001. 2020 c 219 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State	
Appropriation	((\$23,015,000))
	<u>\$17,344,000</u>
Highway Safety Account—State Appropriation.	\$81,000
Motor Vehicle Account—State Appropriation.	((\$4,907,000))
	<u>\$3,165,000</u>
Freight Mobility Multimodal Account—State	
Appropriation	((\$4,992,000))
	<u>\$4,454,000</u>
Motor Vehicle Account—Federal Appropriation	\$1,899,000
Freight Mobility Multimodal Account—Private/Local	
Appropriation	\$1,250,000
TOTAL APPROPRIATION.	((\$36,144,000))
	<u>\$28,193,000</u>

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

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document (~~(2020-3 as developed March 11, 2020, Conference FMSIB Project List)~~) 2021-2 ALL PROJECTS as developed April 23, 2021, Freight Mobility Strategic Investment Board (FMSIB).

(2) Until directed by the legislature, the board may not initiate a new call for projects. By January 1, 2020, the board must report to

1 the legislature on alternative proposals to revise its project award
2 and obligation process, which result in lower reappropriations.

3 ((4)) (3) It is the intent of the legislature to continue to
4 make strategic investments in a statewide freight mobility
5 transportation system with the help of the freight mobility strategic
6 investment board, including projects that mitigate the impact of
7 freight movement on local communities.

8 **Sec. 1002.** 2020 c 219 s 302 (uncodified) is amended to read as
9 follows:

10 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

11 Rural Arterial Trust Account—State Appropriation	((\$62,884,000))
	<u>\$51,184,000</u>
12	
13 Motor Vehicle Account—State Appropriation	\$1,456,000
14 County Arterial Preservation Account—State	
15 Appropriation	\$39,590,000
16 TOTAL APPROPRIATION.	((\$103,930,000))
17	<u>\$92,230,000</u>

18 **Sec. 1003.** 2020 c 219 s 304 (uncodified) is amended to read as
19 follows:

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

22 Motor Vehicle Account—State Appropriation	((\$51,187,000))
23	<u>\$49,717,000</u>
24 Connecting Washington Account—State Appropriation	((\$51,523,000))
25	<u>\$50,746,000</u>
26 TOTAL APPROPRIATION.	((\$102,710,000))
27	<u>\$100,463,000</u>

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

30 (1) ((~~\$51,523,000~~)) \$50,746,000 of the connecting Washington
31 account—state appropriation is provided solely for a new Olympic
32 region maintenance and administration facility to be located on the
33 department-owned site at the intersection of Marvin Road and 32nd
34 Avenue in Lacey, Washington.

35 (2) (a) ((~~\$43,297,000~~)) \$41,827,000 of the motor vehicle account—
36 state appropriation is provided solely for the department facility
37 located at 15700 Dayton Ave N in Shoreline. This appropriation is

1 contingent upon the department of ecology signing a not less than
2 twenty-year agreement to pay a share of any financing contract issued
3 pursuant to chapter 39.94 RCW.

4 (b) Payments from the department of ecology as described in this
5 subsection shall be deposited into the motor vehicle account.

6 (c) Total project costs are not to exceed (~~(\$46,500,000)~~)
7 \$45,032,000.

8 (3) \$1,565,000 from the motor vehicle account—state appropriation
9 is provided solely for furniture for the renovated Northwest Region
10 Headquarters at Dayton Avenue. The department must efficiently
11 furnish the renovated building.

12 **Sec. 1004.** 2020 c 219 s 305 (uncodified) is amended to read as
13 follows:

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

15	Transportation Partnership Account—State	
16	Appropriation	((\$385,619,000))
17		<u>\$395,679,000</u>
18	Motor Vehicle Account—State Appropriation	((\$102,543,000))
19		<u>\$60,911,000</u>
20	Motor Vehicle Account—Federal Appropriation	((\$151,857,000))
21		<u>\$156,148,000</u>
22	Motor Vehicle Account—Private/Local Appropriation	((\$70,404,000))
23		<u>\$76,284,000</u>
24	Connecting Washington Account—State	
25	Appropriation	((\$2,355,205,000))
26		<u>\$1,630,805,000</u>
27	Special Category C Account—State Appropriation	((\$36,134,000))
28		<u>\$19,123,000</u>
29	Multimodal Transportation Account—State	
30	Appropriation	((\$3,853,000))
31		<u>\$3,522,000</u>
32	Alaskan Way Viaduct Replacement Project Account—State	
33	Appropriation	\$77,956,000
34	Transportation 2003 Account (Nickel Account)—State	
35	Appropriation	((\$10,429,000))
36		<u>\$9,403,000</u>
37	Interstate 405 and State Route Number 167 Express	
38	Toll Lanes Account—State Appropriation.	((\$90,027,000))

1 \$33,742,000
2 TOTAL APPROPRIATION. ((~~\$3,284,027,000~~))
3 \$2,463,573,000

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

6 (1) Except as provided otherwise in this section, the entire
7 connecting Washington account—state appropriation and the entire
8 transportation partnership account—state appropriation are provided
9 solely for the projects and activities as listed by fund, project,
10 and amount in LEAP Transportation Document ((2020)) 2021-1 as
11 developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway
12 Improvements Program (I). However, limited transfers of specific
13 line-item project appropriations may occur between projects for those
14 amounts listed subject to the conditions and limitations in section
15 ((~~601 of this act~~)) 601 of this act, chapter . . ., Laws of 2021
16 (this act).

17 (2) Except as provided otherwise in this section, the entire
18 motor vehicle account—state appropriation and motor vehicle account—
19 federal appropriation are provided solely for the projects and
20 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
21 PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021, Program -
22 Highway Improvements Program (I). Any federal funds gained through
23 efficiencies, adjustments to the federal funds forecast, ((~~additional~~
24 ~~congressional action not related to a specific project or purpose,~~))
25 or the federal funds redistribution process must then be applied to
26 highway and bridge preservation activities or fish passage barrier
27 corrections (0BI4001).

28 (3) Within the motor vehicle account—state appropriation and
29 motor vehicle account—federal appropriation, the department may
30 transfer funds between programs I and P, except for funds that are
31 otherwise restricted in this act. Ten days prior to any transfer, the
32 department must submit its request to the office of financial
33 management and the transportation committees of the legislature and
34 consider any concerns raised. The department shall submit a report on
35 fiscal year funds transferred in the prior fiscal year using this
36 subsection as part of the department's annual budget submittal.

37 (4) The connecting Washington account—state appropriation
38 includes up to ((~~\$1,835,325,000~~)) \$1,085,325,000 in proceeds from the
39 sale of bonds authorized in RCW 47.10.889.

1 (5) The special category C account—state appropriation includes
2 up to (~~(\$24,910,000)~~) \$19,123,000 in proceeds from the sale of bonds
3 authorized in RCW 47.10.812.

4 (6) The transportation partnership account—state appropriation
5 includes up to (~~(\$162,658,000)~~) \$176,140,000 in proceeds from the
6 sale of bonds authorized in RCW 47.10.873.

7 (7) The Alaskan Way viaduct replacement project account—state
8 appropriation includes up to \$77,956,000 in proceeds from the sale of
9 bonds authorized in RCW 47.10.873.

10 (8) (~~(\$168,757,000)~~) \$162,005,000 of the transportation
11 partnership account—state appropriation, (~~(\$19,790,000)~~) \$17,898,000
12 of the motor vehicle account—private/local appropriation, \$3,384,000
13 of the transportation 2003 account (nickel account)—state
14 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
15 project account—state appropriation, and (~~(\$1,838,000)~~) \$854,000 of
16 the multimodal transportation account—state appropriation are
17 provided solely for the SR 99/Alaskan Way Viaduct Replacement project
18 (809936Z). It is the intent of the legislature that the \$25,000,000
19 increase in funding provided in the 2021-2023 fiscal biennium be
20 covered by any legal damages paid to the state as a result of a
21 lawsuit related to contractual provisions for construction and
22 delivery of the Alaskan Way viaduct replacement project. The
23 legislature intends that the \$25,000,000 of the transportation
24 partnership account—state funds be repaid when those damages are
25 recovered.

26 (9) (~~(\$3,000,000)~~) \$2,667,000 of the multimodal transportation
27 account—state appropriation is provided solely for transit mitigation
28 for the SR 99/Viaduct Project - Construction Mitigation project
29 (809940B).

30 (10) (~~(\$168,655,000)~~) \$148,097,000 of the connecting Washington
31 account—state appropriation, \$1,052,000 of the special category C
32 account—state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor
33 vehicle account—private/local appropriation are provided solely for
34 the US 395 North Spokane Corridor project (M00800R).

35 (11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state
36 route number 167 express toll lanes account—state appropriation is
37 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
38 project (L2000234) for activities related to adding capacity on
39 Interstate 405 between state route number 522 and Interstate 5, with

1 the goals of increasing vehicle throughput and aligning project
2 completion with the implementation of bus rapid transit in the
3 vicinity of the project.

4 (12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting
5 Washington account—state appropriation and (~~(\$456,000)~~) \$400,000 of
6 the motor vehicle account—private/local appropriation are provided
7 solely for the SR 520 Seattle Corridor Improvements - West End
8 project (M00400R).

9 (b) Recognizing that the department of transportation requires
10 full possession of parcel number 1-23190 to complete the Montlake
11 Phase of the West End project, the department is directed to:

12 (i) Work with the operator of the Montlake boulevard market
13 located on parcel number 1-23190 to negotiate a lease allowing
14 continued operations up to January 1, 2020. After that time, the
15 department shall identify an area in the vicinity of the Montlake
16 property for a temporary market or other food service to be provided
17 during the period of project construction. Should the current
18 operator elect not to participate in providing that temporary
19 service, the department shall then develop an outreach plan with the
20 city to solicit community input on the food services provided, and
21 then advertise the opportunity to other potential vendors. Further,
22 the department shall work with the city of Seattle and existing
23 permit processes to facilitate vendor access to and use of the area
24 in the vicinity of the Montlake property.

25 (ii) Upon completion of the Montlake Phase of the West End
26 project (current anticipated contract completion of 2023), WSDOT
27 shall sell that portion of the property not used for permanent
28 transportation improvements and initiate a process to convey that
29 surplus property to a subsequent owner.

30 (c) \$60,000 of the motor vehicle account—state appropriation is
31 provided solely for grants to nonprofit organizations located in a
32 city with a population exceeding six hundred thousand persons and
33 that empower artists through equitable access to vital expertise,
34 opportunities, and business services. Funds may be used only for the
35 purpose of preserving, commemorating, and sharing the history of the
36 city of Seattle's freeway protests and making the history of activism
37 around the promotion of more integrated transportation and land use
38 planning accessible to current and future generations through the
39 preservation of Bent 2 of the R. H. Thompson freeway ramp.

1 (13) It is the intent of the legislature that for the I-5 JBLM
2 Corridor Improvements project (M00100R), the department shall
3 actively pursue \$50,000,000 in federal funds to pay for this project
4 to supplant state funds in the future. \$50,000,000 in connecting
5 Washington account funding must be held in unallotted status during
6 the 2021-2023 fiscal biennium. These funds may only be used after the
7 department has provided notice to the office of financial management
8 that it has exhausted all efforts to secure federal funds from the
9 federal highway administration and the department of defense.

10 (14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington
11 account—state appropriation (~~(is)~~), \$15,099,000 of the motor vehicle
12 account—private/local appropriation, and \$1,500,000 of the motor
13 vehicle account—federal appropriation are provided solely for the SR
14 167/SR 509 Puget Sound Gateway project (M00600R).

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

17 (b) Proceeds from the sale of any surplus real property acquired
18 for the purpose of building the SR 167/SR 509 Puget Sound Gateway
19 (M00600R) project must be deposited into the motor vehicle account
20 for the purpose of constructing the project.

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

31 (d) It is the legislature's intent that the department shall
32 construct a full single-point urban interchange at the junction of
33 state route number 161 (Meridian avenue) and state route number 167
34 and a full single-point urban interchange at the junction of state
35 route number 509 and 188th Street. If the department receives
36 additional funds from an outside source for this project after the
37 base project is fully funded, the funds must first be applied toward
38 the completion of these two full single-point urban interchanges.

1 (e) In designing the state route number 509/state route number
2 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
3 project (M00600R), the department shall make every effort to utilize
4 the preferred "4B" design.

5 (f) The department shall explore the development of a multiuse
6 trail for bicyclists, pedestrians, skateboarders, and similar users
7 along the SR 167 right-of-way acquired for the project to connect a
8 network of new and existing trails from Mount Rainier to Point
9 Defiance Park.

10 (g) If sufficient bonding authority to complete this project is
11 not provided within chapter 421, Laws of 2019 (addressing tolling),
12 or within a bond authorization act referencing chapter 421, Laws of
13 2019 by June 30, 2019, it is the intent of the legislature to return
14 the Puget Sound Gateway project (M00600R) to its previously
15 identified construction schedule by moving \$128,900,000 in connecting
16 Washington account—state appropriation back to the 2027-2029 biennium
17 from the 2023-2025 biennium on the list referenced in subsection (2)
18 of this section. If sufficient bonding authority is provided, it is
19 the intent of the legislature to advance the project to allow for
20 earlier completion and inflationary savings.

21 (15) It is the intent of the legislature that, for the I-5/North
22 Lewis County Interchange project (L2000204), the department develop
23 and design the project with the objective of significantly improving
24 access to the industrially zoned properties in north Lewis county.
25 The design must consider the county's process of investigating
26 alternatives to improve such access from Interstate 5 that began in
27 March 2015.

28 (16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership
29 account—state appropriation is provided solely for the U.S. 2 Trestle
30 IJR project (L1000158).

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

37 (18) Any advisory group that the department convenes during the
38 2019-2021 fiscal biennium must consider the interests of the entire
39 state of Washington.

1 (19) The legislature finds that there are sixteen companies
2 involved in wood preserving in the state that employ four hundred
3 workers and have an annual payroll of fifteen million dollars. Before
4 the department's switch to steel guardrails, ninety percent of the
5 twenty-five hundred mile guardrail system was constructed of
6 preserved wood and one hundred ten thousand wood guardrail posts were
7 produced annually for state use. Moreover, the policy of using steel
8 posts requires the state to use imported steel. Given these findings,
9 where practicable, and until June 30, 2021, the department shall
10 include the design option to use wood guardrail posts, in addition to
11 steel posts, in new guardrail installations. The selection of posts
12 must be consistent with the agency design manual policy that existed
13 before December 2009.

14 (20)(a) For connecting Washington projects that have already
15 begun and are eligible for the authority granted in section 601 (~~of~~
16 ~~this act~~), chapter 219, Laws of 2020, the department shall
17 prioritize advancing the following projects if expected
18 reappropriations become available:

- 19 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- 20 (ii) SR 305 Construction - Safety Improvements (N30500R);
- 21 (iii) SR 14/Bingen Underpass (L2220062);
- 22 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- 23 (v) US Hwy 2 Safety (N00200R);
- 24 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
- 25 (vii) I-5 JBLM Corridor Improvements (M00100R);
- 26 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
- 27 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
- 28 (x) SR 520/124th St Interchange (Design and Right of Way)
29 (L1000098).

30 (b) To the extent practicable, the department shall use the
31 flexibility and authority granted in this section and in section 601
32 of this act to minimize the amount of reappropriations needed each
33 biennium.

34 (c) The advancement of a project may not hinder the delivery of
35 the projects for which the reappropriations are necessary for the
36 2021-2023 fiscal biennium.

37 (21) The legislature continues to prioritize the replacement of
38 the state's aging infrastructure and recognizes the importance of
39 reusing and recycling construction aggregate and recycled concrete
40 materials in our transportation system. To accomplish Washington

1 state's sustainability goals in transportation and in accordance with
2 RCW 70.95.805, the legislature reaffirms its determination that
3 recycled concrete aggregate and other transportation building
4 materials are natural resource construction materials that are too
5 valuable to be wasted and landfilled, and are a commodity as defined
6 in WAC 173-350-100.

7 Further, the legislature determines construction aggregate and
8 recycled concrete materials substantially meet widely recognized
9 international, national, and local standards and specifications
10 referenced in American society for testing and materials, American
11 concrete institute, Washington state department of transportation,
12 Seattle department of transportation, American public works
13 association, federal aviation administration, and federal highway
14 administration specifications, and are described as necessary and
15 desirable products for recycling and reuse by state and federal
16 agencies.

17 As these recyclable materials have well established markets, are
18 substantially a primary or secondary product of necessary
19 construction processes and production, and are managed as an item of
20 commercial value, construction aggregate and recycled concrete
21 materials are exempt from chapter 173-350 WAC.

22 (22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account—
23 state appropriation (~~is~~) and \$7,329,000 of the motor vehicle
24 account—private/local appropriation are provided solely for staffing
25 of a project office (~~to replace the Interstate 5 bridge across the~~
26 ~~Columbia river (G2000088))~~) for the I-5 Interstate Bridge Replacement
27 project (L2000370). (~~If at least a \$9,000,000 transfer is not~~
28 ~~authorized in section 406(29), chapter 416, Laws of 2019, then~~
29 ~~\$9,000,000 of the motor vehicle account state appropriation lapses.~~)

30 (b) (~~Of the amount provided in this subsection, \$7,780,000 of~~
31 ~~the motor vehicle account state appropriation must be placed in~~
32 ~~unallotted status by the office of financial management until the~~
33 ~~department develops a detailed plan for the work of this project~~
34 ~~office in consultation with the chairs and ranking members of the~~
35 ~~transportation committees of the legislature. The director of the~~
36 ~~office of financial management shall consult with the chairs and~~
37 ~~ranking members of the transportation committees of the legislature~~
38 ~~prior to making a decision to allot these funds.~~

1 ~~(e)~~) The work of this project office includes, but is not
2 limited to, the reevaluation of the purpose and need identified for
3 the project previously known as the Columbia river crossing, the
4 reevaluation of permits and development of a finance plan, the
5 reengagement of key stakeholders and the public, and the reevaluation
6 of scope, schedule, and budget for a reinvigorated bistate effort for
7 replacement of the Interstate 5 Columbia river bridge. When
8 reevaluating the finance plan for the project, the department shall
9 assume that some costs of the new facility may be covered by tolls.
10 The project office must also study the possible different governance
11 structures for a bridge authority that would provide for the joint
12 administration of the bridges over the Columbia river between Oregon
13 and Washington. As part of this study, the project office must
14 examine the feasibility and necessity of an interstate compact in
15 conjunction with the national center for interstate compacts.

16 ~~((d))~~ (c) Within the amount provided in this subsection, the
17 department must implement chapter 137, Laws of 2019 (projects of
18 statewide significance).

19 ~~((e))~~ (d) The department shall have as a goal to:

20 (i) Reengage project stakeholders and reevaluate the purpose and
21 need and environmental permits by July 1, 2020;

22 (ii) Develop a finance plan by December 1, 2020; and

23 (iii) Have made significant progress toward beginning the
24 supplemental environmental impact statement process by June 30, 2021.
25 The department shall aim to provide a progress report on these
26 activities to the governor and the transportation committees of the
27 legislature by December 1, 2019, and a final report to the governor
28 and the transportation committees of the legislature by December 1,
29 2020.

30 (23) ~~((~~\$17,500,000~~ of the motor vehicle account state
31 appropriation is provided solely to begin the pre-design phase on the
32 I-5/Columbia River Bridge project (G2000088)).~~

33 ~~(24))~~ (a) \$191,360,000 of the connecting Washington account—state
34 appropriation, \$47,655,000 of the motor vehicle account—federal
35 appropriation, \$11,179,000 of the motor vehicle account—private/local
36 appropriation, \$6,100,000 of the motor vehicle account—state
37 appropriation, and \$18,706,000 of the transportation partnership
38 account—state appropriation are provided solely for the Fish Passage

1 Barrier Removal project (OBI4001) with the intent of fully complying
2 with the court injunction by 2030.

3 (b) Of the amounts provided in this subsection, \$320,000 of the
4 connecting Washington account—state appropriation is provided solely
5 to remove the fish passage barrier on state route number 6 that
6 interfaces with Boistfort Valley water utilities near milepost 46.6.

7 (c) The department shall coordinate with the Brian Abbott fish
8 passage barrier removal board to use a watershed approach to maximize
9 habitat gain by replacing both state and local culverts. The
10 department shall deliver high habitat value fish passage barrier
11 corrections that it has identified, guided by the following factors:
12 Opportunity to bundle projects, ability to leverage investments by
13 others, presence of other barriers, project readiness, other
14 transportation projects in the area, and transportation impacts.

15 (d) The department must keep track of, for each barrier removed:
16 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
17 amount spent to comply with the injunction.

18 (e) It is the intent of the legislature that for the amount
19 listed for the 2021-2023 biennium for the Fish Passage Barrier
20 Removal project (OBI4001) on the LEAP list referenced in subsection
21 (1) of this section, that accrued practical design savings deposited
22 in the transportation future funding program account be used to help
23 fund the cost of fully complying with the court injunction by 2030.

24 (~~(25)~~) (24)(a) The Washington state department of
25 transportation is directed to pursue compliance with the *U.S. v.*
26 *Washington* permanent injunction by delivering culvert corrections
27 within the injunction area guided by the principle of providing the
28 greatest fisheries habitat gain at the earliest time and considering
29 the following factors: Opportunity to bundle projects, tribal
30 priorities, ability to leverage investments by others, presence of
31 other barriers, project readiness, culvert condition, other
32 transportation projects in the area, and transportation impacts.

33 (b) The department and Brian Abbott fish barrier removal board,
34 while providing the opportunity for stakeholders, tribes, and
35 government agencies to give input on a statewide culvert remediation
36 plan, must provide updates on the development of the statewide
37 culvert remediation plan to the capital budget, ways and means, and
38 transportation committees of the legislature by November 1, 2020, and
39 March 15, 2021. The first update must include a project timeline and
40 plan to ensure that all state agencies with culvert correction

1 programs are involved in the creation of the comprehensive plan. The
2 department and Brian Abbott fish barrier removal board must submit
3 the final comprehensive statewide culvert remediation plan and the
4 process by which it will be adaptively managed over time to the
5 governor and the legislative fiscal committees by June 30, 2021.

6 ((~~(26)~~ \$16,649,000)) (25) \$4,880,000 of the connecting Washington
7 account—state appropriation, \$373,000 of the motor vehicle account—
8 state appropriation, and ((~~\$6,000,000~~)) \$113,000 of the motor vehicle
9 account—private/local appropriation are provided solely for the I-90/
10 Barker to Harvard - Improve Interchanges & Local Roads project
11 (L2000122). The connecting Washington account appropriation for the
12 improvements that fall within the city of Liberty Lake may only be
13 expended if the city of Liberty Lake agrees to cover any project
14 costs within the city of Liberty Lake above the \$20,900,000 of state
15 appropriation provided for the total project in LEAP Transportation
16 Document ((~~2020~~)) 2021-1 as developed ((~~March 11, 2020~~)) April 23,
17 2021, Program - Highway Improvements (I).

18 ((~~(27)~~)) (26) (a) ((~~\$6,799,000~~)) \$3,901,000 of the motor vehicle
19 account—federal appropriation, ((~~\$31,000~~)) \$34,000 of the motor
20 vehicle account—state appropriation, ((~~\$3,812,000 of the~~
21 ~~transportation partnership account state appropriation,~~)) and
22 ((~~\$7,000,000~~)) \$4,519,000 of the Interstate 405 and state route
23 number 167 express toll lanes account—state appropriation are
24 provided solely for the SR 167/SR 410 to SR 18 - Congestion
25 Management project (316706C).

26 (b) If sufficient bonding authority to complete this project is
27 not provided within chapter 421, Laws of 2019 (addressing tolling),
28 or within a bond authorization act referencing chapter 421, Laws of
29 2019 by June 30, 2019, it is the intent of the legislature to remove
30 the \$100,000,000 in toll funding from this project on the list
31 referenced in subsection (2) of this section.

32 ((~~(28)~~)) (27) For the I-405/North 8th Street Direct Access Ramp
33 in Renton project (L1000280), if sufficient bonding authority to
34 begin this project is not provided within chapter 421, Laws of 2019
35 (addressing tolling), or within a bond authorization act referencing
36 chapter 421, Laws of 2019, it is the intent of the legislature to
37 remove the project from the list referenced in subsection (2) of this
38 section.

1 ~~((29) \$7,985,000)~~ (28) \$7,071,000 of the Special Category C
2 account—state appropriation ~~((and \$1,000,000 of the motor vehicle~~
3 ~~account—private/local appropriation are))~~ is provided solely for the
4 SR 18 Widening - Issaquah/Hobart Rd to Raging River project
5 (L1000199) for improving and widening state route number 18 to four
6 lanes from Issaquah-Hobart Road to Raging River.

7 ~~((30))~~ (29) \$2,250,000 of the motor vehicle account—state
8 appropriation is provided solely for the I-5 Corridor from Mounts
9 Road to Tumwater project (L1000231) for completing a National and
10 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-
11 and long-term environmental impacts associated with future
12 improvements along the I-5 corridor from Tumwater to DuPont.

13 ~~((31) \$622,000)~~ (30) \$200,000 of the motor vehicle account—
14 state appropriation is provided solely for the US 101/East Sequim
15 Corridor Improvements project (L2000343).

16 ~~((32) \$12,916,000)~~ (31) \$777,000 of the motor vehicle account—
17 state appropriation is provided solely for the SR 522/Paradise Lk Rd
18 Interchange & Widening on SR 522 (Design/Engineering) project
19 (NPARADI).

20 ~~((33) \$1,000,000)~~ (32) \$1,001,000 of the motor vehicle account—
21 state appropriation ~~((is))~~ and \$1,227,000 of the motor vehicle
22 account—federal appropriation are provided solely for the US 101/
23 Morse Creek Safety Barrier project (L1000247).

24 ~~((34) \$1,000,000)~~ (33) \$85,000 of the motor vehicle account—
25 state appropriation is provided solely for the SR 162/410 Interchange
26 Design and Right of Way project (L1000276).

27 ~~((36) The appropriations in this section include savings due to~~
28 ~~anticipated project underruns; however, it is unknown which projects~~
29 ~~will provide savings. The legislature intends to provide sufficient~~
30 ~~flexibility for the department to manage to this savings target. To~~
31 ~~provide this flexibility, the office of financial management may~~
32 ~~authorize, through an allotment modification, reductions in the~~
33 ~~appropriated amounts that are provided solely for a particular~~
34 ~~purpose within this section subject to the following conditions and~~
35 ~~limitations:~~

36 ~~(a) The department must confirm that any modification requested~~
37 ~~under this subsection of amounts provided solely for a specific~~
38 ~~purpose are not expected to be used for that purpose in this~~
39 ~~biennium;~~

1 ~~(b) Allotment modifications authorized under this subsection may~~
2 ~~not result in increased funding for any project beyond the amount~~
3 ~~provided for that project in the 2019-2021 fiscal biennium in LEAP~~
4 ~~Transportation Document 2020-2 ALL PROJECTS as developed March 11,~~
5 ~~2020;~~

6 ~~(c) Allotment modifications authorized under this subsection~~
7 ~~apply only to amounts appropriated in this section from the following~~
8 ~~accounts: Multimodal transportation account state, transportation~~
9 ~~partnership account state, connecting Washington account state, and~~
10 ~~special category C account state; and~~

11 ~~(d) By December 1, 2020, the department must submit a report to~~
12 ~~the transportation committees of the legislature regarding the~~
13 ~~actions taken under this subsection.)~~

14 **Sec. 1005.** 2020 c 219 s 306 (uncodified) is amended to read as
15 follows:

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

17	Recreational Vehicle Account—State Appropriation	\$2,971,000
18	Transportation Partnership Account—State	
19	Appropriation	((20,248,000))
20		<u>\$20,181,000</u>
21	Motor Vehicle Account—State Appropriation	((82,447,000))
22		<u>\$87,755,000</u>
23	Motor Vehicle Account—Federal Appropriation	((490,744,000))
24		<u>\$498,257,000</u>
25	Motor Vehicle Account—Private/Local	
26	Appropriation	((7,408,000))
27		<u>\$7,660,000</u>
28	State Route Number 520 Corridor Account—State	
29	Appropriation	((326,000))
30		<u>\$395,000</u>
31	Connecting Washington Account—State Appropriation	((204,630,000))
32		<u>\$178,258,000</u>
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation	((8,350,000))
35		<u>\$1,078,000</u>
36	Alaskan Way Viaduct Replacement Project Account—State	
37	Appropriation	((10,000))
38		<u>\$79,000</u>

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation.	((\$3,018,000))
3		<u>\$1,457,000</u>
4	Transportation 2003 Account (Nickel Account)—State	
5	Appropriation	\$17,892,000
6	TOTAL APPROPRIATION.	((\$838,044,000))
7		<u>\$815,983,000</u>

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

10 (1) Except as provided otherwise in this section, the entire
11 connecting Washington account—state appropriation and the entire
12 transportation partnership account—state appropriation are provided
13 solely for the projects and activities as listed by fund, project,
14 and amount in LEAP Transportation Document ((2020)) 2021-1 as
15 developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway
16 Preservation Program (P). However, limited transfers of specific
17 line-item project appropriations may occur between projects for those
18 amounts listed subject to the conditions and limitations in section
19 ((~~601 of this act~~)) 601 of this act, chapter . . . , Laws of 2021
20 (this act).

21 (2) Except as provided otherwise in this section, the entire
22 motor vehicle account—state appropriation and motor vehicle account—
23 federal appropriation are provided solely for the projects and
24 activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL
25 PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021, Program -
26 Highway Preservation Program (P). Any federal funds gained through
27 efficiencies, adjustments to the federal funds forecast, ((~~additional~~
28 ~~congressional action not related to a specific project or purpose,~~))
29 or the federal funds redistribution process must then be applied to
30 highway and bridge preservation activities or fish passage barrier
31 corrections (0BI4001).

32 (3) Within the motor vehicle account—state appropriation and
33 motor vehicle account—federal appropriation, the department may
34 transfer funds between programs I and P, except for funds that are
35 otherwise restricted in this act. Ten days prior to any transfer, the
36 department must submit its request to the office of financial
37 management and the transportation committees of the legislature and
38 consider any concerns raised. The department shall submit a report on

1 fiscal year funds transferred in the prior fiscal year using this
2 subsection as part of the department's annual budget submittal.

3 (4) (~~(\$26,683,000)~~) \$21,517,000 of the connecting Washington
4 account—state appropriation is provided solely for the land mobile
5 radio upgrade (G2000055) and is subject to the conditions,
6 limitations, and review provided in section 701 (~~(of this act)~~),
7 chapter 219, Laws of 2020. The land mobile radio project is subject
8 to technical oversight by the office of the chief information
9 officer. The department, in collaboration with the office of the
10 chief information officer, shall identify where existing or proposed
11 mobile radio technology investments should be consolidated, identify
12 when existing or proposed mobile radio technology investments can be
13 reused or leveraged to meet multiagency needs, increase mobile radio
14 interoperability between agencies, and identify how redundant
15 investments can be reduced over time. The department shall also
16 provide quarterly reports to the technology services board on project
17 progress.

18 (5) (~~(\$4,000,000)~~) \$5,000,000 of the motor vehicle account—state
19 appropriation is provided solely for extraordinary costs incurred
20 from litigation awards, settlements, or dispute mitigation activities
21 not eligible for funding from the self-insurance fund. The amount
22 provided in this subsection must be held in unallotted status until
23 the department submits a request to the office of financial
24 management that includes documentation detailing litigation-related
25 expenses. The office of financial management may release the funds
26 only when it determines that all other funds designated for
27 litigation awards, settlements, and dispute mitigation activities
28 have been exhausted. No funds provided in this subsection may be
29 expended on any legal fees related to the SR 99/Alaskan Way viaduct
30 replacement project (809936Z).

31 (6) The appropriation in this section includes funding for
32 starting planning, engineering, and construction of the Elwha River
33 bridge replacement. To the greatest extent practicable, the
34 department shall maintain public access on the existing route.

35 (7) \$21,289,000 of the motor vehicle account—federal
36 appropriation and \$840,000 of the motor vehicle account—state
37 appropriation are provided solely for the preservation of
38 structurally deficient bridges or bridges that are at risk of
39 becoming structurally deficient (L1000068). These funds must be used

1 widely around the state of Washington. When practicable, the
2 department shall pursue design-build contracts for these bridge
3 projects to expedite delivery. The department shall provide a report
4 that identifies the progress of each project funded in this
5 subsection as part of its annual agency budget request.

6 (8) The department must consult with the Washington state patrol
7 and the office of financial management during the design phase of any
8 improvement or preservation project that could impact Washington
9 state patrol weigh station operations. During the design phase of any
10 such project, the department must estimate the cost of designing
11 around the affected weigh station's current operations, as well as
12 the cost of moving the affected weigh station.

13 (9) During the course of any planned resurfacing or other
14 preservation activity on state route number 26 between Colfax and
15 Othello in the 2019-2021 fiscal biennium, the department must add
16 dug-in reflectors.

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

25 **Sec. 1006.** 2020 c 219 s 307 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
28 **CAPITAL**

29 Motor Vehicle Account—State Appropriation	((\$7,746,000))
	<u>\$6,296,000</u>
31 Motor Vehicle Account—Federal Appropriation	((\$6,137,000))
	<u>\$5,039,000</u>
33 Motor Vehicle Account—Private/Local Appropriation	\$579,000
34 Interstate 405 and State Route Number 167 Express	
35 Toll Lanes Account—State Appropriation.	\$100,000
36 TOTAL APPROPRIATION.	((\$14,562,000))
37	<u>\$12,014,000</u>

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

3 ((~~(1)~~—\$700,000)) \$121,000 of the motor vehicle account—state
4 appropriation is provided solely for the SR 99 Aurora Bridge ITS
5 project (L2000338).

6 **Sec. 1007.** 2020 c 219 s 308 (uncodified) is amended to read as
7 follows:

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

10	Puget Sound Capital Construction Account—State	
11	Appropriation	((\$116,253,000))
12		<u>\$85,281,000</u>
13	Puget Sound Capital Construction Account—Federal	
14	Appropriation	((\$198,688,000))
15		<u>\$177,352,000</u>
16	Puget Sound Capital Construction Account—Private/Local	
17	Appropriation	((\$4,779,000))
18		<u>\$4,575,000</u>
19	Transportation Partnership Account—State	
20	Appropriation	((\$6,582,000))
21		<u>\$2,312,000</u>
22	Connecting Washington Account—State Appropriation	\$112,426,000
23	Capital Vessel Replacement Account—State	
24	Appropriation.	((\$96,030,000))
25		<u>\$35,547,000</u>
26	Transportation 2003 Account (Nickel Account)—State	
27	Appropriation.	\$986,000
28	TOTAL APPROPRIATION.	((\$535,744,000))
29		<u>\$418,479,000</u>

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

32 (1) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects
34 and activities as listed in LEAP Transportation Document ((2020))
35 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021,
36 Program - Washington State Ferries Capital Program (W).

1 (2) \$2,857,000 of the Puget Sound capital construction account—
2 state appropriation, (~~(\$17,832,000)~~) \$18,818,000 of the Puget Sound
3 capital construction account—federal appropriation, and \$63,789,000
4 of the connecting Washington account—state appropriation, are
5 provided solely for the Mukilteo ferry terminal (952515P). To the
6 extent practicable, the department shall avoid the closure of, or
7 disruption to, any existing public access walkways in the vicinity of
8 the terminal project during construction.

9 (3) (~~(\$102,641,000)~~) \$94,643,000 of the Puget Sound capital
10 construction account—federal appropriation, \$47,819,000 of the
11 connecting Washington account—state appropriation, and \$4,355,000 of
12 the Puget Sound capital construction account—local appropriation are
13 provided solely for the Seattle Terminal Replacement project
14 (900010L).

15 (4) \$5,357,000 of the Puget Sound capital construction account—
16 state appropriation is provided solely for emergency capital repair
17 costs (999910K). Funds may only be spent after approval by the office
18 of financial management.

19 (5) (~~(\$2,300,000)~~) \$2,224,000 of the Puget Sound capital
20 construction account—state appropriation is provided solely for the
21 ORCA acceptance project (L2000300). The ferry system shall work with
22 Washington technology solutions and the tolling division on the
23 development of a new, interoperable ticketing system.

24 (6) \$495,000 of the Puget Sound capital construction account—
25 state appropriation is provided solely for an electric ferry planning
26 team (G2000087) to develop ten-year and twenty-year implementation
27 plans to efficiently deploy hybrid-electric vessels, including a
28 cost-benefit analysis of construction and operation of hybrid-
29 electric vessels with and without charging infrastructure. The plan
30 includes, but is not limited to, vessel technology and feasibility,
31 vessel and terminal deployment schedules, project financing, and
32 workforce requirements. The plan shall be submitted to the office of
33 financial management and the transportation committees of the
34 legislature by June 30, 2020.

35 (7) (~~(\$35,000,000)~~) \$10,776,000 of the Puget Sound capital
36 construction account—state appropriation and \$8,000,000 of the Puget
37 Sound capital construction account—federal appropriation are provided
38 solely for the conversion of up to two Jumbo Mark II vessels to
39 electric hybrid propulsion (G2000084). The department shall seek

1 additional funds for the purposes of this subsection. ((The
2 department may spend from the Puget Sound capital construction
3 account state appropriation in this section only as much as the
4 department receives in Volkswagen settlement funds for the purposes
5 of this subsection.))

6 (8) \$400,000 of the Puget Sound capital construction account—
7 state appropriation is provided solely for a request for proposals
8 for a new maintenance management system (project L2000301) and is
9 subject to the conditions, limitations, and review provided in
10 section 701 ((of this act)), chapter 219, Laws of 2020.

11 (9) ((~~\$96,030,000~~)) \$35,547,000 of the capital vessel replacement
12 account—state appropriation is provided solely for the acquisition of
13 a 144-car hybrid-electric vessel. The vendor must present to the
14 joint transportation committee and the office of financial
15 management, by September 15, 2019, a list of options that will result
16 in significant cost savings changes in terms of construction or the
17 long-term maintenance and operations of the vessel. The vendor must
18 allow for exercising the options without a penalty. It is the intent
19 of the legislature to provide an additional \$88,000,000 in funding in
20 the 2021-23 biennium. The reduction provided in this subsection is an
21 assumed underrun pursuant to subsection (11) of this section. The
22 commencement of construction of new vessels for the ferry system is
23 important not only for safety reasons, but also to keep skilled
24 marine construction jobs in the Puget Sound region and to sustain the
25 capacity of the region to meet the ongoing construction and
26 preservation needs of the ferry system fleet of vessels. The
27 legislature has determined that the current vessel procurement
28 process must move forward with all due speed, balancing the interests
29 of both the taxpayers and shipyards. To accomplish construction of
30 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
31 for vessels initially funded after July 1, 2020, is encouraged to
32 follow the historical practice of subcontracting the construction of
33 ferry superstructures to a separate nonaffiliated contractor located
34 within the Puget Sound region, that is qualified in accordance with
35 RCW 47.60.690.

36 (10) The capital vessel replacement account—state appropriation
37 includes up to ((~~\$96,030,000~~)) \$35,547,000 in proceeds from the sale
38 of bonds authorized in RCW 47.10.873.

1 (~~(12)~~) (11) The appropriations in this section include savings
2 due to anticipated project underruns; however, it is unknown which
3 projects will provide savings. The legislature intends to provide
4 sufficient flexibility for the department to manage to this savings
5 target. To provide this flexibility, the office of financial
6 management may authorize, through an allotment modification,
7 reductions in the appropriated amounts that are provided solely for a
8 particular purpose within this section subject to the following
9 conditions and limitations:

10 (a) The department must confirm that any modification requested
11 under this subsection of amounts provided solely for a specific
12 purpose are not expected to be used for that purpose in this
13 biennium;

14 (b) Allotment modifications authorized under this subsection may
15 not result in increased funding for any project beyond the amount
16 provided for that project in the 2019-2021 fiscal biennium in LEAP
17 Transportation Document (~~(2020)~~) 2021-2 ALL PROJECTS as developed
18 (~~(March 11, 2020)~~) April 23, 2021;

19 (c) Allotment modifications authorized under this subsection
20 apply only to amounts appropriated in this section from the following
21 accounts: Puget Sound capital construction account—state,
22 transportation partnership account—state, and capital vessel
23 replacement account—state; and

24 (d) By December 1, 2020, the department must submit a report to
25 the transportation committees of the legislature regarding the
26 actions taken under this subsection.

27 **Sec. 1008.** 2020 c 219 s 309 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

30	Motor Vehicle Account—State Appropriation.	((\$3,300,000))
31		<u>\$2,300,000</u>
32	Essential Rail Assistance Account—State Appropriation	\$851,000
33	Transportation Infrastructure Account—State	
34	Appropriation	((\$7,554,000))
35		<u>\$7,465,000</u>
36	Multimodal Transportation Account—State	
37	Appropriation	((\$74,876,000))
38		<u>\$72,135,000</u>

1	Multimodal Transportation Account—Federal	
2	Appropriation	\$8,601,000
3	Multimodal Transportation Account—Local	
4	Appropriation	\$336,000
5	TOTAL APPROPRIATION.	((\$95,518,000))
6		<u>\$91,688,000</u>

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

9 (1) Except as provided otherwise in this section, the entire
10 appropriations in this section are provided solely for the projects
11 and activities as listed by project and amount in LEAP Transportation
12 Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~)
13 April 23, 2021, Program - Rail Program (Y).

14 (2) ((~~\$7,136,000~~)) \$7,047,000 of the transportation
15 infrastructure account—state appropriation is provided solely for new
16 low-interest loans approved by the department through the freight
17 rail investment bank (FRIB) program. The department shall issue FRIB
18 program loans with a repayment period of no more than ten years, and
19 charge only so much interest as is necessary to recoup the
20 department's costs to administer the loans. The department shall
21 report annually to the transportation committees of the legislature
22 and the office of financial management on all FRIB loans issued.

23 (3) \$7,782,000 of the multimodal transportation account—state
24 appropriation, \$51,000 of the transportation infrastructure account—
25 state appropriation, and \$135,000 of the essential rail assistance
26 account—state appropriation are provided solely for new statewide
27 emergent freight rail assistance projects identified in the LEAP
28 transportation document referenced in subsection (1) of this section.

29 (4) \$367,000 of the transportation infrastructure account—state
30 appropriation and \$1,100,000 of the multimodal transportation account
31 —state appropriation are provided solely to reimburse Highline Grain,
32 LLC for approved work completed on Palouse River and Coulee City
33 (PCC) railroad track in Spokane county between the BNSF Railway
34 Interchange at Cheney and Geiger Junction and must be administered in
35 a manner consistent with freight rail assistance program projects.
36 The value of the public benefit of this project is expected to meet
37 or exceed the cost of this project in: Shipper savings on
38 transportation costs; jobs saved in rail-dependent industries; and/or
39 reduced future costs to repair wear and tear on state and local

1 highways due to fewer annual truck trips (reduced vehicle miles
2 traveled). The amounts provided in this subsection are not a
3 commitment for future legislatures, but it is the legislature's
4 intent that future legislatures will work to approve biennial
5 appropriations until the full \$7,337,000 cost of this project is
6 reimbursed.

7 (5) (a) \$716,000 of the essential rail assistance account—state
8 appropriation and \$82,000 of the multimodal transportation account—
9 state appropriation are provided solely for the purpose of the
10 rehabilitation and maintenance of the Palouse river and Coulee City
11 railroad line (F01111B).

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

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

17 (ii) Revenues from trackage rights agreement fees paid by
18 shippers; and

19 (iii) Revenues and transfers transferred from the miscellaneous
20 program account to the essential rail assistance account, pursuant to
21 RCW 47.76.360, for the purpose of sustaining the grain train program
22 by maintaining the Palouse river and Coulee City railroad.

23 (6) The department shall issue a call for projects for the
24 freight rail assistance program, and shall evaluate the applications
25 in a manner consistent with past practices as specified in section
26 309, chapter 367, Laws of 2011. By November 15, 2020, the department
27 shall submit a prioritized list of recommended projects to the office
28 of financial management and the transportation committees of the
29 legislature.

30 (7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation
31 account—state appropriation is provided solely as expenditure
32 authority for any insurance proceeds received by the state for
33 Passenger Rail Equipment Replacement (project 700010C.) The
34 department must use this expenditure authority only to purchase
35 replacement equipment that has been competitively procured and for
36 service recovery needs and corrective actions related to the December
37 2017 derailment.

38 (8) \$898,000 of the multimodal transportation account—federal
39 appropriation and \$8,000 of the multimodal transportation account—

1 state appropriation are provided solely for the Ridgefield Rail
2 Overpass (project 725910A). Total costs for this project may not
3 exceed \$909,000 across fiscal biennia.

4 (9) (a) For projects funded as part of the 2015 connecting
5 Washington transportation package listed on the LEAP transportation
6 document identified in subsection (1) of this section, if the
7 department expects to have substantial reappropriations for the
8 2021-2023 fiscal biennium, the department may, on a pilot basis,
9 apply funding from a project in this section with an appropriation
10 that cannot be used for the current fiscal biennium to advance the
11 South Kelso Railroad Crossing project (L1000147).

12 (b) At least ten business days before advancing the project
13 pursuant to this subsection, the department must notify the office of
14 financial management and the transportation committees of the
15 legislature. The advancement of the project may not hinder the
16 delivery of the projects for which the reappropriations are necessary
17 for the 2021-2023 fiscal biennium.

18 (c) To the extent practicable, the department shall use the
19 flexibility and authority granted in this section to minimize the
20 amount of reappropriations needed each biennium.

21 ~~(10) ((The multimodal transportation account state appropriation~~
22 ~~includes up to \$25,000,000 in proceeds from the sale of bonds~~
23 ~~authorized in RCW 47.10.867.~~

24 ~~((11))~~) The department must report to the joint transportation
25 committee on the progress made on freight rail investment bank
26 projects and freight rail assistance projects funded during this
27 biennium by January 1, 2020.

28 ~~((12))~~) (11) \$1,500,000 of the multimodal transportation account
29 —state appropriation is provided solely for the Chelatchie Prairie
30 railroad roadbed rehabilitation project (L1000233).

31 ~~((13))~~) (12) \$250,000 of the multimodal transportation account—
32 state appropriation is provided solely for the Port of Moses Lake
33 Northern Columbia Basin railroad feasibility study (L1000235).

34 ~~((14))~~) (13) \$500,000 of the multimodal transportation account—
35 state appropriation is provided solely for the Spokane airport
36 transload facility project (L1000242).

37 ~~((15) —\$1,000,000 of the motor vehicle account state~~
38 ~~appropriation is provided solely for the grade separation at Bell~~
39 ~~road project (L1000239).~~

1 ~~(16))~~ (14) \$750,000 of the motor vehicle account—state
2 appropriation and \$399,000 of the multimodal transportation account—
3 state appropriation are provided solely for the rail crossing
4 improvements at 6th Ave. and South 19th St. project (L2000289).

5 ~~((18))~~ (15) The appropriations in this section include savings
6 due to anticipated project underruns; however, it is unknown which
7 projects will provide savings. The legislature intends to provide
8 sufficient flexibility for the department to manage to this savings
9 target. To provide this flexibility, the office of financial
10 management may authorize, through an allotment modification,
11 reductions in the appropriated amounts that are provided solely for a
12 particular purpose within this section subject to the following
13 conditions and limitations:

14 (a) The department must confirm that any modification requested
15 under this subsection of amounts provided solely for a specific
16 purpose are not expected to be used for that purpose in this
17 biennium;

18 (b) Allotment modifications authorized under this subsection may
19 not result in increased funding for any project beyond the amount
20 provided for that project in the 2019-2021 fiscal biennium in LEAP
21 Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed
22 ~~((March 11, 2020))~~ April 23, 2021;

23 (c) Allotment modifications authorized under this subsection
24 apply only to amounts appropriated in this section from the
25 multimodal transportation account—state; and

26 (d) By December 1, 2020, the department must submit a report to
27 the transportation committees of the legislature regarding the
28 actions taken under this subsection.

29 **Sec. 1009.** 2020 c 219 s 310 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
32 **CAPITAL**

33 Highway Infrastructure Account—State Appropriation	\$1,276,000
34 Highway Infrastructure Account—Federal Appropriation	\$1,337,000
35 Transportation Partnership Account—State	
36 Appropriation	((2,380,000))
37	<u>\$1,630,000</u>
38 Highway Safety Account—State Appropriation	\$1,314,000

1 projects selected in the previous biennia (L2000189). The department
2 may consider the special situations facing high-need areas, as
3 defined by schools or project areas in which the percentage of the
4 children eligible to receive free and reduced-price meals under the
5 national school lunch program is equal to, or greater than, the state
6 average as determined by the department, when evaluating project
7 proposals against established funding criteria while ensuring
8 continued compliance with federal eligibility requirements.

9 (3) The department shall submit a report to the transportation
10 committees of the legislature by December 1, 2019, and December 1,
11 2020, on the status of projects funded as part of the pedestrian
12 safety/safe routes to school grant program. The report must include,
13 but is not limited to, a list of projects selected and a brief
14 description of each project's status.

15 (4) (~~(\$37,537,000)~~) \$32,976,000 of the multimodal transportation
16 account—state appropriation is provided solely for bicycle and
17 pedestrian projects listed in the LEAP transportation document
18 referenced in subsection (1) of this section.

19 (5) (~~(\$23,926,000)~~) \$13,829,000 of the connecting Washington
20 account—state appropriation is provided solely for the Covington
21 Connector (L2000104). The amounts described in the LEAP
22 transportation document referenced in subsection (1) of this section
23 are not a commitment by future legislatures, but it is the
24 legislature's intent that future legislatures will work to approve
25 appropriations in the 2019-2021 fiscal biennium to reimburse the city
26 of Covington for approved work completed on the project up to the
27 full \$24,000,000 cost of this project.

28 (6)(a) For projects funded as part of the 2015 connecting
29 Washington transportation package listed on the LEAP transportation
30 document identified in subsection (1) of this section, if the
31 department expects to have substantial reappropriations for the
32 2021-2023 fiscal biennium, the department may, on a pilot basis,
33 apply funding from a project in this section with an appropriation
34 that cannot be used for the current fiscal biennium to advance one or
35 more of the following projects:

- 36 (i) I-5/Port of Tacoma Road Interchange (L1000087);
- 37 (ii) SR 99 Revitalization in Edmonds (NEDMOND); or
- 38 (iii) SR 523 145th Street (L1000148);

39 (b) At least ten business days before advancing a project
40 pursuant to this subsection, the department must notify the office of

1 financial management and the transportation committees of the
2 legislature. The advancement of a project may not hinder the delivery
3 of the projects for which the reappropriations are necessary for the
4 2021-2023 fiscal biennium.

5 (c) To the extent practicable, the department shall use the
6 flexibility and authority granted in this section to minimize the
7 amount of reappropriations needed each biennium.

8 (7) It is the expectation of the legislature that the department
9 will be administering a local railroad crossing safety grant program
10 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

11 (8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account—
12 federal appropriation is provided solely for national highway freight
13 network projects identified on the project list submitted in
14 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
15 October 31, 2016.

16 (b) The department shall convene a stakeholder group for the
17 purpose of developing a recommendation for a Washington freight
18 advisory committee. The recommendations must include, but are not
19 limited to, defining the committee's purpose and goals, roles and
20 responsibilities, reporting structure, and proposed activities.
21 Stakeholders must include representation from, but not limited to,
22 the trucking industry, the maritime industry, the rail industry,
23 cities, tribal governments, counties, ports, and representatives from
24 key industrial associations important to the state's economic
25 vitality and other relevant public and private interests. In
26 developing the recommendation, the stakeholder group must review
27 practices used by other states. The proposed committee must conform
28 with requirements of the fixing America's surface transportation act
29 and other relevant federal legislation. The recommendations must
30 include how the committee can address improving freight mobility
31 including, but not limited to, addressing insufficient truck parking
32 in Washington state, examining the link between preservation
33 investments and freight mobility, and enhancing freight logistics
34 through the application of technology. The stakeholder group shall
35 make recommendations to the governor and the transportation
36 committees of the legislature by December 1, 2020.

37 (9) \$1,000,000 of the motor vehicle account—state appropriation
38 is provided solely for the Beech Street Extension project (L1000222).

1 (10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account—state
2 appropriation is provided solely for the Dupont-Steilacoom road
3 improvements project (L1000224).

4 (11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account—state
5 appropriation is provided solely for the SR 104/40th place northeast
6 roundabout project (L1000244).

7 (12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation
8 account—state appropriation is provided solely for the Clinton to
9 Ken's corner trail project (L1000249).

10 ~~(13) (~~(\$210,000 of the motor vehicle account—state appropriation~~~~
11 ~~is provided solely for the I-405/44th gateway signage and green-~~
12 ~~scaping improvements project (L1000250)).~~

13 ~~(14) (\$650,000)~~) \$50,000 of the motor vehicle account—state
14 appropriation is provided solely for the Wallace Kneeland and Shelton
15 springs road intersection improvements project (L1000260).

16 ~~((15))~~) (14) \$1,000,000 of the motor vehicle account—state
17 appropriation and \$500,000 of the multimodal transportation account—
18 state appropriation are provided solely for the complete 224th Phase
19 two project (L1000270).

20 ~~((16))~~) (15) \$60,000 of the multimodal transportation account—
21 state appropriation is provided solely for the installation of an
22 updated meteorological station at the Colville airport (L1000279).

23 ~~((17))~~) (16)(a) \$700,000 of the motor vehicle account—state
24 appropriation is provided solely for the Ballard-Interbay Regional
25 Transportation system plan project (L1000281).

26 (b) Funding in this subsection is provided solely for the city of
27 Seattle to develop a plan and report for the Ballard-Interbay
28 Regional Transportation System project to improve mobility for people
29 and freight. The plan must be developed in coordination and
30 partnership with entities including but not limited to the city of
31 Seattle, King county, the Port of Seattle, Sound Transit, the
32 Washington state military department for the Seattle armory, and the
33 Washington state department of transportation. The plan must examine
34 replacement of the Ballard bridge and the Magnolia bridge, which was
35 damaged in the 2001 Nisqually earthquake. The city must provide a
36 report on the plan that includes recommendations to the Seattle city
37 council, King county council, and the transportation committees of
38 the legislature by November 1, 2020. The report must include
39 recommendations on how to maintain the current and future capacities

1 of the Magnolia and Ballard bridges, an overview and analysis of all
2 plans between 2010 and 2020 that examine how to replace the Magnolia
3 bridge, and recommendations on a timeline for constructing new
4 Magnolia and Ballard bridges.

5 ~~((18))~~ (17) \$750,000 of the motor vehicle account—state
6 appropriation is provided solely for the Mickelson Parkway project
7 (L1000282).

8 ~~((19) \$300,000)~~ (18) \$175,000 of the motor vehicle account—
9 state appropriation is provided solely for the South 314th Street
10 Improvements project (L1000283).

11 ~~((20) \$250,000)~~ (19) \$200,000 of the motor vehicle account—
12 state appropriation is provided solely for the Ridgefield South I-5
13 Access Planning project (L1000284).

14 ~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account—state
15 appropriation is provided solely for the Washougal 32nd Street
16 Underpass Design and Permitting project (L1000285).

17 ~~((22) \$600,000 of the connecting Washington account—state
18 appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account—
19 state appropriation ~~((,))~~ and \$267,000 of the multimodal
20 transportation account—state appropriation are provided solely for
21 the Bingen Walnut Creek and Maple Railroad Crossing (L2000328).

22 ~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account—
23 state appropriation is provided solely for the SR 303 Warren Avenue
24 Bridge Pedestrian Improvements project (L2000339).

25 ~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account—
26 state appropriation is provided solely for the 72nd/Washington
27 Improvements in Yakima project (L2000341).

28 ~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account—
29 state appropriation is provided solely for the 48th/Washington
30 Improvements in Yakima project (L2000342).

31 ~~((27))~~ (25) The appropriations in this section include savings
32 due to anticipated project underruns; however, it is unknown which
33 projects will provide savings. The legislature intends to provide
34 sufficient flexibility for the department to manage to this savings
35 target. To provide this flexibility, the office of financial
36 management may authorize, through an allotment modification,
37 reductions in the appropriated amounts that are provided solely for a
38 particular purpose within this section subject to the following
39 conditions and limitations:

1 (a) The department must confirm that any modification requested
2 under this subsection of amounts provided solely for a specific
3 purpose are not expected to be used for that purpose in this
4 biennium;

5 (b) Allotment modifications authorized under this subsection may
6 not result in increased funding for any project beyond the amount
7 provided for that project in the 2019-2021 fiscal biennium in LEAP
8 Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed
9 ((March 11, 2020)) April 23, 2021;

10 (c) Allotment modifications authorized under this subsection
11 apply only to amounts appropriated in this section from the following
12 accounts: Connecting Washington account—state and multimodal
13 transportation account—state; and

14 (d) By December 1, 2020, the department must submit a report to
15 the transportation committees of the legislature regarding the
16 actions taken under this subsection.

17 (26) \$11,679,000 of the motor vehicle account—federal
18 appropriation is provided solely for acceleration of local
19 preservation projects that ensure the reliable movement of freight on
20 the national highway freight system (G2000100). The department shall
21 identify projects through its current national highway system asset
22 management call for projects with applications due in February 2021.
23 The department shall give priority to those projects that can be
24 obligated by September 30, 2021.

25 **Sec. 1010.** 2019 c 416 s 302 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account—State Appropriation . . . ((~~\$3,277,000~~))
29 \$2,437,000

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

32 The entire appropriation in this section is provided solely for
33 the following projects:

- 34 (1) \$250,000 for emergency repairs;
35 (2) ((~~\$468,000~~)) \$268,000 for roof replacements;
36 (3) \$350,000 for fuel tank decommissioning;
37 (4) ((~~\$759,000~~)) \$119,000 for generator and electrical
38 replacement;

1 (5) \$750,000 for water and fire suppression systems; and
 2 (6) \$700,000 for academy training tank preservation
 3 reappropriation.

4 The Washington state patrol may transfer funds between projects
 5 specified in this section to address cash flow requirements. If a
 6 project specified in this section is completed for less than the
 7 amount provided, the remainder may be transferred to another project
 8 specified in this section not to exceed the total appropriation
 9 provided in this section.

10 **TRANSFERS AND DISTRIBUTIONS**

11 **Sec. 1101.** 2020 c 219 s 401 (uncodified) is amended to read as
 12 follows:

13 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
 15 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
 16 **REVENUE**

17	Special Category C Account—State Appropriation.	((\$105,000))
18	<u>\$21,000</u>
19	((Multimodal Transportation Account—State Appropriation.	\$125,000))
20	Transportation Partnership Account—State Appropriation ((\$1,407,000))	
21		<u>\$182,000</u>
22	Connecting Washington Account—State Appropriation. . . ((\$7,723,000))	
23		<u>\$2,455,000</u>
24	Highway Bond Retirement Account—State	
25	Appropriation.	((\$1,378,835,000))
26		<u>\$1,308,311,000</u>
27	Ferry Bond Retirement Account—State Appropriation. . ((\$25,078,000))	
28		<u>\$25,079,000</u>
29	Transportation Improvement Board Bond Retirement	
30	Account—State Appropriation.	((\$12,452,000))
31		<u>\$12,062,000</u>
32	Nondebt-Limit Reimbursable Bond Retirement	
33	Account—State Appropriation.	((\$31,253,000))
34		<u>\$29,514,000</u>
35	Toll Facility Bond Retirement Account—State	
36	Appropriation.	((\$86,483,000))

1 \$85,565,000
2 TOTAL APPROPRIATION. ((~~\$1,543,461,000~~))
3 \$1,463,189,000

4 **Sec. 1102.** 2020 c 219 s 402 (uncodified) is amended to read as
5 follows:

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

9 (~~(Multimodal Transportation Account—State Appropriation. . . \$25,000)~~)
10 Transportation Partnership Account—State
11 Appropriation. ((~~\$281,000~~))
12 \$68,000
13 Connecting Washington Account—State Appropriation. . . ((~~\$1,599,000~~))
14 \$640,000
15 Special Category C Account—State Appropriation. ((~~\$21,000~~))
16 \$9,000
17 TOTAL APPROPRIATION. ((~~\$1,926,000~~))
18 \$717,000

19 **Sec. 1103.** 2020 c 219 s 403 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

22 Motor Vehicle Account—State Appropriation:
23 For motor vehicle fuel tax distributions to
24 cities and counties. ((~~\$508,276,000~~))
25 \$456,823,000

26 **Sec. 1104.** 2020 c 219 s 404 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER—TRANSFERS**

29 Motor Vehicle Account—State Appropriation:
30 For motor vehicle fuel tax refunds and
31 statutory transfers. ((~~\$2,146,790,000~~))
32 \$1,921,901,000

33 **Sec. 1105.** 2020 c 219 s 405 (uncodified) is amended to read as
34 follows:

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

2 Motor Vehicle Account—State Appropriation:

3 For motor vehicle fuel tax refunds and
4 transfers. ((\$235,788,000))
5 \$240,415,000

6 **Sec. 1106.** 2020 c 219 s 406 (uncodified) is amended to read as
7 follows:

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

9 (1) Highway Safety Account—State Appropriation:

10 For transfer to the Multimodal Transportation
11 Account—State. ((\$54,000,000))
12 \$24,000,000

13 (2) (~~Transportation Partnership Account—State~~
14 ~~Appropriation: For transfer to the Motor Vehicle~~
15 ~~Account—State. \$45,000,000~~

16 ~~(3))~~ Motor Vehicle Account—State Appropriation:
17 For transfer to the State Patrol Highway
18 Account—State. ((\$57,000,000))
19 \$25,400,000

20 (~~(4))~~ (3) Motor Vehicle Account—State Appropriation:
21 For transfer to the Freight Mobility Investment
22 Account—State. \$8,070,000

23 (~~(5))~~ (4) Motor Vehicle Account—State Appropriation:
24 For transfer to the Rural Arterial Trust
25 Account—State. \$1,732,000

26 (5) (a) Motor Vehicle Account—State Appropriation:
27 For transfer to the State Route Number 520 Civil
28 Penalties Account—State. \$6,000,000

29 (b) The funds provided in (a) of this subsection are a loan to
30 the state route number 520 civil penalties account—state, and the
31 legislature assumes that these funds will be reimbursed to the motor
32 vehicle account—state in the 2021-2023 biennium.

33 (6) Motor Vehicle Account—State Appropriation:
34 For transfer to the Transportation Improvement
35 Account—State. ((\$5,067,000))
36 \$34,067,000

37 (7) Motor Vehicle Account—State Appropriation:

1 For transfer to the Puget Sound Capital Construction
 2 Account—State. ((~~\$52,000,000~~))
 3 \$61,000,000
 4 (8) Motor Vehicle Account—State Appropriation:
 5 For transfer to the Puget Sound Ferry Operations
 6 Account—State. \$55,000,000
 7 (9) Rural Mobility Grant Program Account—State
 8 Appropriation: For transfer to the Multimodal
 9 Transportation Account—State. \$3,000,000
 10 (10) State Route Number 520 Civil Penalties
 11 Account—State Appropriation: For transfer to
 12 the State Route Number 520 Corridor
 13 Account—State. ((~~\$1,434,000~~))
 14 \$1,666,000
 15 (11) Capital Vessel Replacement Account—State
 16 Appropriation: For transfer to the Connecting
 17 Washington Account—State. \$60,000,000
 18 (12) Multimodal Transportation Account—State
 19 Appropriation: For transfer to the Regional
 20 Mobility Grant Program Account—State. \$11,215,000
 21 (13) Multimodal Transportation Account—State
 22 Appropriation: For transfer to the Rural
 23 Mobility Grant Program Account—State. \$15,223,000
 24 (14) (~~Transportation 2003 Account (Nickel Account)—~~
 25 ~~State Appropriation: For transfer to the Puget~~
 26 ~~Sound Capital Construction Account State. \$15,000,000~~
 27 ~~(15) (a) Alaskan Way Viaduct Replacement Project~~
 28 ~~Account—State Appropriation: For transfer to the~~
 29 ~~Motor Vehicle Account State. \$9,992,000~~
 30 ~~(b) The transfer identified in this subsection is provided solely~~
 31 ~~to repay in full the motor vehicle account state appropriation loan~~
 32 ~~from section 1005(21), chapter 416, Laws of 2019.~~
 33 ~~(16)) (a) Transportation Partnership Account—State~~
 34 ~~Appropriation: For transfer to the Alaskan Way Viaduct~~
 35 ~~Replacement Project Account—State. \$77,956,000~~
 36 (b) The amount transferred in this subsection represents that
 37 portion of the up to \$200,000,000 in proceeds from the sale of bonds
 38 authorized in RCW 47.10.873, intended to be sold through the
 39 2021-2023 fiscal biennium, used only for construction of the SR 99/

1 Alaskan Way Viaduct Replacement project (809936Z), and that must be
2 repaid from the Alaskan Way viaduct replacement project account
3 consistent with RCW 47.56.864.

4 ~~((17))~~ (15) Motor Vehicle Account—State Appropriation:
5 For transfer to the County Arterial Preservation
6 Account—State. ~~((4,829,000))~~
7 \$9,902,000

8 ~~((18))~~ (16)(a) General Fund Account—State Appropriation:
9 For transfer to the State Patrol Highway
10 Account—State. \$625,000

11 (b) The state treasurer shall transfer the funds only after
12 receiving notification from the Washington state patrol under section
13 207(7), chapter 416, Laws of 2019.

14 ~~((19) Capital Vessel Replacement Account—State~~
15 ~~Appropriation: For transfer to the Transportation~~
16 ~~Partnership Account—State. \$2,312,000~~

17 ~~(20))~~ (17)(a) Alaskan Way Viaduct Replacement Project
18 Account—State Appropriation: For transfer to the
19 Transportation Partnership Account—State. ~~((15,858,000))~~
20 \$15,577,000

21 (b) The amount transferred in this subsection represents
22 repayment of debt service incurred for the construction of the SR 99/
23 Alaskan Way Viaduct Replacement project (809936Z).

24 ~~((21))~~ (18) Tacoma Narrows Toll Bridge Account—State
25 Appropriation: For transfer to the Motor
26 Vehicle Account—State. \$950,000

27 ~~((22))~~ (19)(a) Tacoma Narrows Toll Bridge Account—State
28 Appropriation:
29 For transfer to the Motor Vehicle
30 Account—State. \$5,000,000

31 (b) A transfer in the amount of \$5,000,000 was made from the
32 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
33 April 2019. It is the intent of the legislature that this transfer
34 was to be temporary, for the purpose of minimizing the impact of toll
35 increases, and this is an equivalent reimbursing transfer to occur in
36 November 2019.

37 ~~((23))~~ (20)(a) Transportation ~~((2003 Account (Nickel Account))~~
38 ~~Partnership Account—State Appropriation:~~
39 For transfer to the Tacoma

1 Narrows Toll Bridge Account—State. \$12,543,000

2 (b) It is the intent of the legislature that this transfer is
3 temporary, for the purpose of minimizing the impact of toll
4 increases, and an equivalent reimbursing transfer is to occur after
5 the debt service and deferred sales tax on the Tacoma Narrows bridge
6 construction costs are fully repaid in accordance with chapter 195,
7 Laws of 2018.

8 ~~((+24))~~ (21) Transportation Infrastructure Account—State
9 Appropriation: For transfer to the multimodal
10 Transportation Account—State. \$9,000,000

11 ~~((+25))~~ (22) Multimodal Transportation Account—State
12 Appropriation: For transfer to the Pilotage
13 Account—State. \$2,500,000

14 ~~((+26))~~ (23)(a) Motor Vehicle Account—State
15 Appropriation: For transfer to the County Road
16 Administration Board Emergency Loan Account—State. \$1,000,000

17 (b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019,
18 the amount provided in this subsection lapses.

19 ~~((+27))~~ (24)(a) Advanced Environmental Mitigation
20 Revolving Account—State Appropriation: For transfer
21 to the Motor Vehicle Account—State. \$9,000,000

22 (b) The amount transferred in this subsection is contingent on at
23 least a \$9,000,000 transfer to the advanced environmental mitigation
24 revolving account authorized by June 30, 2019, in the omnibus capital
25 appropriations act.

26 ~~((+28) Multimodal Transportation Account—State
27 Appropriation: For transfer to the Electric Vehicle
28 Charging Infrastructure Account—State. \$1,000,000~~

29 ~~(+29))~~ (25) Multimodal Transportation Account—State
30 Appropriation: For transfer to the Complete Streets
31 Grant Program Account—State. \$10,200,000

32 ~~((+30))~~ (26)(a) Multimodal Transportation Account—State
33 Appropriation: For transfer to the Connecting
34 Washington Account—State. \$82,080,000

35 (b) The amount transferred in this subsection represents a
36 reversal of the changes made to RCW 82.32.385, in section 703,
37 chapter 219, Laws of 2020, that directed a transfer of \$82,080,000 to
38 the multimodal transportation account rather than the connecting
39 Washington account.

1 (27) (a) Transportation Partnership Account—State
 2 Appropriation: For transfer to the Capital Vessel
 3 Replacement Account—State. (~~(\$96,030,000)~~)
 4 \$35,547,000

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

7 (~~(31)~~) (28) Freight Mobility Multimodal Account—State
 8 Appropriation: For transfer to the Multimodal Transportation
 9 Account—State. \$7,296,000

10 (~~(32)~~) (29) Connecting Washington Account—State
 11 Appropriation: For transfer to the Motor Vehicle
 12 Account—State. \$115,000,000

13 (30) (a) Motor Vehicle Account—State Appropriation:
 14 For transfer to the Alaskan Way Viaduct Replacement
 15 Project Account—State. \$13,000,000

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

21 (31) Motor Vehicle Account—State Appropriation:
 22 For transfer to the Transportation 2003 Account
 23 (Nickel Account)—State. \$12,800,000

24 (32) Multimodal Transportation Account—State
 25 Appropriation: For transfer to the Puget Sound
 26 Ferry Operations Account—State. \$55,000,000

27 **Sec. 1107.** 2020 c 219 s 407 (uncodified) is amended to read as
 28 follows:

29 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

30 Multimodal Transportation Account—State
 31 Appropriation: For distribution to cities and
 32 counties. \$26,786,000
 33 Motor Vehicle Account—State Appropriation: For
 34 distribution to cities and counties. \$23,438,000
 35 TOTAL APPROPRIATION. \$50,224,000

1 **Sec. 1108.** 2020 c 219 s 408 (uncodified) is amended to read as
2 follows:

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

6	Toll Facility Bond Retirement Account—Federal	
7	Appropriation	((\$199,522,000))
8		<u>\$199,523,000</u>
9	Toll Facility Bond Retirement Account—State	
10	Appropriation	\$25,372,000
11	TOTAL APPROPRIATION.	((\$224,894,000))
12		<u>\$224,895,000</u>

13 **MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

14 NEW SECTION. **Sec. 1201.** A new section is added to 2019 c 416
15 (uncodified) to read as follows:

16 The appropriations to the department of transportation in chapter
17 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be
18 expended for the programs and in the amounts specified in chapter
19 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However,
20 after May 1, 2021, unless specifically prohibited, the department may
21 transfer state appropriations for the 2019-2021 fiscal biennium among
22 operating programs after approval by the director of the office of
23 financial management. However, the department shall not transfer
24 state moneys that are provided solely for a specific purpose. The
25 department shall not transfer funds, and the director of the office
26 of financial management shall not approve the transfer, unless the
27 transfer is consistent with the objective of conserving, to the
28 maximum extent possible, the expenditure of state funds and not
29 federal funds. The director of the office of financial management
30 shall notify the appropriate transportation committees of the
31 legislature prior to approving any allotment modifications or
32 transfers under this section.

33 **MISCELLANEOUS**

34 NEW SECTION. **Sec. 1301.** If any provision of this act or its
35 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 1302.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of
5 the state government and its existing public institutions, and takes
6 effect immediately.

(End of Bill)

INDEX	PAGE #
ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM.	77
BOARD OF PILOTAGE COMMISSIONERS.	7
BOND REIMBURSEMENT.	100
COLLECTIVE BARGAINING AGREEMENT	
COALITION OF UNIONS.	88
PTE LOCAL 17.	88
WFSE.	88
WPEA.	88
WSP LIEUTENANTS AND CAPTAINS ASSOCIATION.	89
WSP TROOPERS ASSOCIATION.	89
COLLECTIVE BARGAINING AGREEMENTS.	84
COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED.	84
CARPENTERS.	86
FASPAA.	85
IBU.	87
MEBA-L.	86
MEBA-UL.	86
METAL TRADES.	86
MM&P MASTERS.	87
MM&P MATES.	87
MM&P WATCH CENTER SUPERVISORS.	87
OPEIU.	85
PORT ENGINEERS.	86
SEIU LOCAL 6.	85
COMPENSATION	
NONREPRESENTED EMPLOYEES-INSURANCE BENEFITS.	90
REPRESENTED EMPLOYEES-HEALTH CARE-COALITION-INSURANCE BENEFITS	89
REPRESENTED EMPLOYEES-OUTSIDE HEALTH CARE COALITION-INSURANCE	
BENEFITS.	90
REVISE PENSION CONTRIBUTION RATES.	90
COUNTY ROAD ADMINISTRATION BOARD.	12, 58, 131, 190
DEPARTMENT OF AGRICULTURE.	6, 127
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION.	2, 126
DEPARTMENT OF LICENSING.	23, 145
TRANSFERS.	80, 222
DEPARTMENT OF TRANSPORTATION	
AVIATION-PROGRAM F.	33, 158
CHARGES FROM OTHER AGENCIES-PROGRAM U.	46, 173
FACILITIES-PROGRAM D-CAPITAL.	59, 190

FACILITIES—PROGRAM D—OPERATING.	33, 158
HIGHWAY MAINTENANCE—PROGRAM M.	38, 163
IMPROVEMENTS—PROGRAM I.	60, 191
INFORMATION TECHNOLOGY—PROGRAM C.	33, 156
LOCAL PROGRAMS—PROGRAM Z—CAPITAL.	75, 214
LOCAL PROGRAMS—PROGRAM Z—OPERATING.	55, 187
MARINE—PROGRAM X.	51, 182
PRESERVATION—PROGRAM P.	67, 203
PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H.	34, 160
PUBLIC TRANSPORTATION—PROGRAM V.	47, 174
PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K.	36, 162
RAIL—PROGRAM Y—CAPITAL.	72, 210
RAIL—PROGRAM Y—OPERATING.	54, 185
TOLL OPERATIONS AND MAINTENANCE—PROGRAM B.	28, 152
TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL.	69, 206
TRAFFIC OPERATIONS—PROGRAM Q—OPERATING.	41, 166
TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S.	43, 168
TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T.	44, 170
WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W.	70, 207
EVERGREEN STATE COLLEGE.	6
FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES.	78
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD.	19, 56, 141, 189
HOUSE OF REPRESENTATIVES.	8, 128
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE.	8
JOINT TRANSPORTATION COMMITTEE.	12, 131
JUNETEENTH HOLIDAY.	91
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE.	6, 127
MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION.	97
NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS.	78
OFFICE OF FINANCIAL MANAGEMENT.	4, 127
AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS.	83
FERRY AGENTS, SUPERVISORS, AND PROJECT ADMINISTRATORS ASSOCIATION	92
INLANDBOATMEN'S UNION OF THE PACIFIC.	91
MARINE ENGINEERS' BENEFICIAL ASSOCIATION PORT ENGINEERS.	93
WATCH CENTER SUPERVISORS.	93
OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8.	92
PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS.	91
PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17.	95

PUGET SOUND METAL TRADES COUNCIL.	96
SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 6.	92
THE COALITION OF UNIONS.	95
WASHINGTON FEDERATION OF STATE EMPLOYEES.	94
WASHINGTON PUBLIC EMPLOYEES ASSOCIATION GENERAL GOVERNMENT.	94
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES.	7
PROJECT SCOPE CHANGES.	102
QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM.	78
REAPPROPRIATIONS REPORTING.	101
SENATE.	8, 128
STATE PARKS AND RECREATION COMMISSION.	6
STATE TREASURER	
ADMINISTRATIVE TRANSFERS.	80, 223
BOND RETIREMENT AND INTEREST.	79, 80, 221, 222
BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE.	83, 228
STATE REVENUES FOR DISTRIBUTION.	80, 222, 227
TRANSFERS.	80, 222
TOLL CREDITS.	102
TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING.	101
TRANSPORTATION COMMISSION.	17, 137
TRANSPORTATION IMPROVEMENT BOARD.	12, 59, 131
UTILITIES AND TRANSPORTATION COMMISSION.	2
WASHINGTON STATE PATROL.	19, 58, 141, 220
WASHINGTON TRAFFIC SAFETY COMMISSION.	9, 128
WEBSITE REPORTING REQUIREMENTS.	101

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