

SENATE BILL 5326

State of Washington 57th Legislature 2001 Regular Session

By Senators Haugen, West and Gardner; by request of Governor Locke

Read first time 01/19/2001. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2000 2nd sp.s. c 3 ss 201, 211, 212, 216, 217, 224, 230, 401,
3 403, 404, and 405 (uncodified); making appropriations; and declaring an
4 emergency.

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

6 PART II

7 TRANSPORTATION AGENCIES

8 Sec. 201. 2000 2nd sp.s. c 3 s 201 (uncodified) is amended to read
9 as follows:

10 FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Table with 2 columns: Description and Amount. Rows include Highway Safety Account--State Appropriation (\$1,452,000), Highway Safety Account--Federal Appropriation (\$9,038,000), School Zone Safety Account--State Appropriation (\$((1,004,000))), and TOTAL APPROPRIATION (\$((11,494,000))).

1 The appropriations in this section (~~is~~) are subject to the  
2 following conditions and limitations and specified amounts are provided  
3 solely for that activity:

4 (1) \$25,000 of the highway safety account--state is provided as a  
5 one-time appropriation to implement the Cooper Jones act, chapter 165,  
6 Laws of 1998.

7 (2) The Washington traffic safety commission may oversee no more  
8 than four pilot projects regarding the use of traffic safety cameras at  
9 school zones and/or railroad crossings and no more than one pilot  
10 project regarding the use of traffic safety cameras at school zones,  
11 stoplights, and/or railroad crossings. The traffic safety commission  
12 shall use the following guidelines to administer the program:

13 (a) Traffic safety cameras may take pictures of the vehicle and  
14 vehicle license plate only;

15 (b) The law enforcement agency of the city or county government  
16 shall plainly mark the locations where the automated traffic  
17 enforcement system is used by placing signs on street locations that  
18 clearly indicate to a driver that he or she is entering a zone where  
19 traffic laws are enforced by an automated traffic enforcement system;

20 (c) Cities and counties using traffic safety cameras must provide  
21 periodic notice by mail to its citizens indicating the zones in which  
22 the traffic safety cameras will be used;

23 (d) Notices of infractions must be mailed to the registered owner  
24 of a vehicle within fourteen days of the infraction occurring;

25 (e) The owner of the vehicle is not responsible for the violation  
26 if the owner of the vehicle, within fifteen days after notification of  
27 the violation, furnishes the officials or agents of the municipality  
28 that issued the citation with:

29 (i) An affidavit made under oath, stating that the vehicle involved  
30 was, at the time, stolen or in the care, custody, or control of some  
31 person other than the registered owner; or

32 (ii) Testimony in open court under oath that the person was not the  
33 operator of the vehicle at the time of the alleged violation;

34 (f) Infractions detected through the use of traffic safety cameras  
35 are not part of the registered owner's driving record under RCW  
36 46.52.101 and 46.52.120;

37 (g) By January 1, 2001, the traffic safety commission shall provide  
38 a report to the legislature regarding the use, public acceptance,

1 outcomes, and other relevant issues regarding traffic safety cameras  
2 demonstrated by the pilot projects.

3 **Sec. 202.** 2000 2nd sp.s. c 3 s 211 (uncodified) is amended to read  
4 as follows:

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

6 State Patrol Highway Account--

7 State Appropriation . . . . . \$ ((~~154,314,000~~))  
8 154,550,000

9 State Patrol Highway Account--

10 Federal Appropriation . . . . . \$ ((~~6,153,000~~))  
11 7,097,000

12 State Patrol Highway Account--

13 Private/Local Appropriation . . . . . \$ 169,000

14 TOTAL APPROPRIATION . . . . . \$ ((~~160,636,000~~))  
15 161,816,000

16 The appropriations in this section are subject to the following  
17 conditions and limitations and specified amounts are provided solely  
18 for that activity:

19 (1) \$1,435,000 of the state patrol highway account--state  
20 appropriation is provided solely to the field operations group  
21 subprogram as a one-time appropriation to begin funding phase III of  
22 the Washington state patrol's upgrade to the statewide emergency  
23 communication system. The Washington state patrol shall provide a full  
24 analysis of the costs, benefits, and requirements for completing all  
25 phases of the upgrade to the statewide emergency communication system  
26 to the senate transportation committee and the house of representatives  
27 transportation committee by December 1, 1999.

28 (2) The Washington state patrol is authorized to use the federal  
29 community-oriented policing program (COPS) for 18 COPS troopers to  
30 begin in July 2000. The troopers must be used on the state's highways  
31 and up to six may be utilized in the Vancouver, Washington area.

32 **Sec. 203.** 2000 2nd sp.s. c 3 s 212 (uncodified) is amended to read  
33 as follows:

34 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

35 State Patrol Highway Account--

36 State Appropriation . . . . . \$ ((~~65,621,000~~))  
37 65,963,000

1	State Patrol Highway Account--		
2	Federal Appropriation . . . . .	\$	104,000
3	State Patrol Highway Account--		
4	Private/Local Appropriation . . . . .	\$	743,000
5	TOTAL APPROPRIATION . . . . .	\$	<del>((66,468,000))</del>
6			<u>66,810,000</u>

7       The appropriations in this section are subject to the following  
8 conditions and limitations and specified amounts are provided solely  
9 for that activity: \$877,000 of the state patrol highway account--state  
10 appropriation is provided solely to maintain pursuit vehicles and  
11 provide for replacement of the vehicles at 110,000 miles. The agency  
12 may purchase a total of 354 pursuit vehicles during the biennium ending  
13 June 30, 2001. The appropriation in this section reflects carry  
14 forward and new funding due to the consolidation of gasoline,  
15 maintenance, parts, and pursuit vehicles into the fleet section of the  
16 support services bureau.

17       **Sec. 204.** 2000 2nd sp.s. c 3 s 216 (uncodified) is amended to read  
18 as follows:

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

20	Motorcycle Safety Education Account--		
21	State Appropriation . . . . .	\$	2,210,000
22	Highway Safety Account--State Appropriation . . .	\$	<del>((77,971,000))</del>
23			<u>77,901,000</u>
24	TOTAL APPROPRIATION . . . . .	\$	<del>((80,181,000))</del>
25			<u>80,111,000</u>

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

28       (1) By January 1, 2001, the department shall report to the  
29 transportation committees of the house of representatives and the  
30 senate on the progress of the driver history initiative project and  
31 make recommendations for implementing this project on a statewide  
32 level.

33       (2) \$2,880,000 of the highway safety account--state appropriation  
34 is provided solely for the department to enter into a contract for the  
35 implementation of an improved state driver's license and identicard.  
36 The contract with the vendor providing the improved license and  
37 identicard shall state that the license and the identicard shall not

1 contain: (a) The driver's social security number in either visible or  
2 machine readable form; or (b) the driver's fingerprint or thumbprint.  
3 Consistent with RCW 42.17.260(9) the department shall not sell or  
4 otherwise make available any information that it gathers from citizens  
5 of the state of Washington in administering the driver's licensing  
6 program except as already authorized in Title 46 RCW.

7 (3) In September of 1999 the department of licensing shall report  
8 to the senate transportation committee and the house of representatives  
9 transportation committee on:

10 (a) The controls implemented by the department to ensure the  
11 integrity and credibility of the written driver's license test  
12 administered by the department; and

13 (b) The policies and procedures implemented by the department to  
14 ensure that the driver's manuals produced and distributed by the  
15 department contain correct data based on current federal, state, and  
16 local statutes, ordinances, and rules.

17 (4) \$17,000 of the highway safety fund--state appropriation is  
18 provided solely to implement House Bill No. 1774 enacted in the form  
19 passed by the legislature. If House Bill No. 1774 is not enacted in  
20 the form passed by the legislature the amount referenced in this  
21 subsection shall lapse.

22 (5) \$130,000 of the highway safety fund--state appropriation is  
23 provided solely to implement House Bill No. 2259 enacted in the form  
24 passed by the legislature. If House Bill No. 2259 is not enacted in  
25 the form passed by the legislature the amount provided in this  
26 subsection shall lapse.

27 **Sec. 205.** 2000 2nd sp.s. c 3 s 217 (uncodified) is amended to read  
28 as follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MANAGEMENT AND**  
30 **FACILITIES--PROGRAM D--OPERATING**

31 Motor Vehicle Account--State Appropriation . . . \$	((45,236,000))
32	<u>45,536,000</u>
33 Motor Vehicle Account--Federal Appropriation . . \$	400,000
34 TOTAL APPROPRIATION . . . . . \$	((45,636,000))
35	<u>45,936,000</u>

36 **Sec. 206.** 2000 2nd sp.s. c 3 s 224 (uncodified) is amended to read  
37 as follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**  
2 **SUPPORT--PROGRAM S**

3	Puget Sound Capital Construction Account--	
4	State Appropriation . . . . .	\$ 2,989,000
5	Motor Vehicle Account--State Appropriation . . .	\$ ((84,062,000))
6		<u>84,262,000</u>
7	Motor Vehicle Account--Federal Appropriation . .	\$ 125,000
8	Puget Sound Ferry Operations Account--	
9	State Appropriation . . . . .	\$ 6,353,000
10	Transportation Account--State Appropriation . . .	\$ 115,000
11	Multimodal Transportation Account--State	
12	Appropriation . . . . .	\$ 1,402,000
13	TOTAL APPROPRIATION . . . . .	\$ ((95,046,000))
14		<u>95,246,000</u>

15 The appropriations in this section are subject to the following  
16 conditions and limitations and the specified amount is provided solely  
17 for that activity:

18 (1) \$75,000 of the motor vehicle account--state appropriation is  
19 provided solely to enable the secretary of transportation to implement  
20 a leadership training program at the department of transportation. The  
21 program shall include a mentoring component. The department shall  
22 develop performance measures to evaluate the effectiveness of the  
23 program, including but not limited to a performance measure to  
24 determine the effect of the program on employee retention. The  
25 department shall provide a progress report on the training program to  
26 the office of financial management, the senate transportation  
27 committee, and the house of representatives transportation committee by  
28 December 1, 2000.

29 (2) Appropriation transfers from transportation management and  
30 support to the transportation equipment fund for management information  
31 services activities shall be permitted through fiscal year 2000.  
32 Effective July 1, 2000, expenditures for these activities shall be  
33 charged directly to transportation management and support.

34 **Sec. 207.** 2000 2nd sp.s. c 3 s 230 (uncodified) is amended to read  
35 as follows:

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

37	Marine Operating Account--State	
38	Appropriation . . . . .	\$ 148,330,000

1	Puget Sound Ferry Operations Account--State	
2	Appropriation . . . . .	\$ ((137,587,000))
3		<u>149,415,000</u>
4	Multimodal Transportation Account--State	
5	Appropriation . . . . .	\$ 5,092,000
6	TOTAL APPROPRIATION . . . . .	\$ ((291,009,000))
7		<u>302,837,000</u>

8       The appropriation in this section is subject to the following  
9 conditions and limitations and specified amounts are provided solely  
10 for that activity:

11       (1) Appropriations in this section shall initially be allotted as  
12 appropriated by this section. Subsequent allotment modifications shall  
13 not permit moneys that are provided solely for a specified purpose to  
14 be used for other than that purpose. After May 1, 2000, after approval  
15 by the director of financial management and unless specifically  
16 prohibited by this act, the department may transfer appropriations  
17 between the marine operating account--state and the Puget Sound ferry  
18 operations account--state appropriations. However, the program shall  
19 not expend more than the total amount appropriated from these accounts.

20       (2) The appropriation is based on the budgeted expenditure of  
21 ((\$29,539,000)) \$41,367,000 for vessel operating fuel in the 1999-2001  
22 biennium. If the actual cost of fuel is less than this budgeted  
23 amount, the excess amount may not be expended. If the actual cost  
24 exceeds this amount, the department shall request a supplemental  
25 appropriation.

26       (3) The appropriation provides for the compensation of ferry  
27 employees. The expenditures for compensation paid to ferry employees  
28 during the 1999-2001 biennium may not exceed \$195,690,000 plus a dollar  
29 amount, as prescribed by the office of financial management, that is  
30 equal to any insurance benefit increase granted general government  
31 employees in excess of \$341.75 a month annualized per eligible marine  
32 employee multiplied by the number of eligible marine employees for the  
33 respective fiscal year, a dollar amount as prescribed by the office of  
34 financial management for costs associated with pension amortization  
35 charges, and a dollar amount prescribed by the office of financial  
36 management for salary increases during the 1999-2001 biennium. For the  
37 purposes of this section, the expenditures for compensation paid to  
38 ferry employees shall be limited to salaries and wages and employee  
39 benefits as defined in the office of financial management's policies,

1 regulations, and procedures named under objects of expenditure "A" and  
2 "B" (7.2.6.2).

3 The prescribed salary and insurance benefit increase or decrease  
4 dollar amount that shall be allocated from the governor's compensation  
5 appropriations is in addition to the appropriation contained in this  
6 section and may be used to increase or decrease compensation costs,  
7 effective July 1, 1999, and thereafter, as established in the 1999-2001  
8 general fund operating budget.

9 (4) The department, when implementing ferry service reductions,  
10 shall, to the extent possible, maintain peak hour vehicle and passenger  
11 service capacity, summer tourist route capacity, and a  
12 fall/winter/spring presence on all auto ferry routes, while ensuring  
13 equitable treatment among routes.

14 (5) The joint task force on ferries is created.

15 (a) The joint task force on ferries is composed of:

16 (i) Eight members of the legislature selected as follows:

17 (A) Four members of the senate, two from each of the major  
18 caucuses, to be appointed by the president of the senate, who shall  
19 select one of the four senate members as cochair;

20 (B) Four members of the house of representatives, two from each of  
21 the major caucuses, to be appointed by the cospeaker of the respective  
22 caucus. The cospeakers shall jointly select one of the four house  
23 members as cochair; and

24 (C) The members appointed from each major caucus of the senate and  
25 the house of representatives must include one member from a legislative  
26 district that encompasses a terminus of a Washington state ferry route  
27 and one from a legislative district that does not include a terminus of  
28 a Washington state ferry route;

29 (ii) At least one person designated by the cochairs representing  
30 each of the following:

31 (A) Ferry advisory committees;

32 (B) Persons who do not use ferries;

33 (C) Labor organizations representing ferry workers;

34 (D) Washington State Ferries;

35 (E) Transit operators;

36 (F) The office of financial management; and

37 (G) Other groups as deemed appropriate by the cochairs of the task  
38 force.



1 (b) The transportation committees shall provide staff support as  
2 mutually agreed by the cochairs of the joint task force.

3 (c) The legislative transportation committee shall pay the expenses  
4 of the legislative committee members.

5 (d) The joint task force on ferries shall report to the full  
6 legislature at the beginning of the 2001 legislative session. The  
7 report must include, but not be limited to, analysis and  
8 recommendations on the following:

9 (i) Establishment of a long-term goal for recovery of operating  
10 costs from fare revenue;

11 (ii) Options for further cuts in ferry service or full or partial  
12 restoration of ferry service cuts;

13 (iii) Feasibility of full or partial privatization of the ferry  
14 system, public-private partnerships, or state and local partnerships;  
15 and

16 (iv) Establishing the short-term and long-term capital needs of the  
17 Washington state ferry system.

18 (6) During fiscal year 2001, the commission is authorized to  
19 increase Washington state ferry tariffs in excess of the fiscal growth  
20 factor, established under chapter 43.135 RCW.

21 (End of part)

PART IV  
TRANSFERS AND DISTRIBUTIONS

**Sec. 401.** 2000 2nd sp.s. c 3 s 401 (uncodified) is amended to read as follows:

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

Highway Bond Retirement Account Appropriation . . . \$	((161,310,000))
	<u>154,200,000</u>
Ferry Bond Retirement Account Appropriation . . . \$	((53,592,000))
	<u>55,082,000</u>
Transportation Improvement Board Bond Retirement Account--State Appropriation . . . . . \$	((35,909,000))
	<u>35,796,000</u>
Puget Sound Capital Construction Account--State Appropriation . . . . . \$	270,000
Motor Vehicle Account--State Appropriation . . . \$	((1,960,000))
	<u>1,600,000</u>
Special Category C Account--State Appropriation . \$	((405,000))
	<u>100,000</u>
Transportation Improvement Account--State Appropriation . . . . . \$	600,000
TOTAL APPROPRIATION . . . . . \$	((254,046,000))
	<u>247,648,000</u>

**Sec. 402.** 2000 2nd sp.s. c 3 s 403 (uncodified) is amended to read as follows:

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

(1) Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution . . . . . \$	((483,325,000))
	<u>480,986,000</u>
(2) Transportation Fund Appropriation for motor vehicle excise tax distribution . . . . . \$	((178,207,000))
	<u>179,882,000</u>
(3) Multimodal Transportation Account--State	

1 Appropriation for motor vehicle excise tax  
 2 distribution . . . . . \$ ((52,619,000))  
 3 52,572,000

4 **Sec. 403.** 2000 2nd sp.s. c 3 s 404 (uncodified) is amended to read  
 5 as follows:

6 **FOR THE STATE TREASURER--TRANSFERS**

7 (1) RV Account--State Appropriation:  
 8 For transfer to the Motor Vehicle Fund--State . . \$ 1,865,000

9 (2) State Patrol Highway Account--State  
 10 Appropriation: For transfer to the Motor Vehicle  
 11 Account--State . . . . . \$ 27,000,000

12 (3) Highway Safety Fund--State Appropriation:  
 13 For transfer to the Multimodal Transportation  
 14 Account--State . . . . . \$ 3,220,000

15 (4) ((Puget Sound Ferry Operations Account--State  
 16 Appropriation: For transfer to the Marine  
 17 Operating Account--State . . . . . \$ 1,400,000

18 (5)) Public Transportation Systems Account--  
 19 State Appropriation: For transfer to the  
 20 Multimodal Transportation Account--State . . . . \$ 23,182,000

21 ((+6)) (5) Transportation Fund--State  
 22 Appropriation: For transfer to the Multimodal  
 23 Transportation Account--State . . . . . \$ 28,061,000

24 The department of transportation shall ((only)) request the state  
 25 treasurer to transfer funds provided under subsection (1) of this  
 26 section only on an as-needed basis.

27 **Sec. 404.** 2000 2nd sp.s. c 3 s 405 (uncodified) is amended to read  
 28 as follows:

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

30 Puget Sound Ferry Operations Account--State  
 31 Appropriation: For transfer to the Puget Sound  
 32 Capital Construction Account--State . . . . . \$ 67,000,000

33 Motor Vehicle Fund--State Appropriation:  
 34 For transfer to the Advanced Environmental  
 35 Mitigation Revolving Account . . . . . \$ 1,000,000

36 Motor Vehicle Fund--State Appropriation:  
 37 For transfer to Puget Sound Capital Construction





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