

HOUSE BILL 1297

State of Washington 64th Legislature 2015 Regular Session

By Representatives Clibborn and Fey; by request of Governor Inslee

Read first time 01/16/15. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2014 c 222 ss 207, 208, 209, 215, 219, 221, 307, 309, 401,
3 402, 403, 404, 405, 406, and 407 (uncodified); adding a new section
4 to 2013 c 306 (uncodified); making appropriations and authorizing
5 expenditures for capital improvements; and declaring an emergency.

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

2013-2015 FISCAL BIENNIUM

TRANSPORTATION AGENCIES—OPERATING

9 Sec. 101. 2014 c 222 s 207 (uncodified) is amended to read as
10 follows:

11 FOR THE WASHINGTON STATE PATROL

12 State Patrol Highway Account—State

13 Appropriation. ((\$366,805,000))
14 \$366,594,000

15 State Patrol Highway Account—Federal

16 Appropriation. ((\$11,067,000))
17 \$11,069,000

18 State Patrol Highway Account—Private/Local

19 Appropriation. \$3,572,000

1	Highway Safety Account—State Appropriation.	((\$19,265,000))
2		<u>\$19,272,000</u>
3	Multimodal Transportation Account—State	
4	Appropriation.	\$272,000
5	Ignition Interlock Device Revolving Account—State	
6	Appropriation.	\$569,000
7	TOTAL APPROPRIATION.	((\$401,550,000))
8		<u>\$401,348,000</u>

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

11 (1) The Washington state patrol shall collaborate with the
12 Washington traffic safety commission on the target zero team pilot
13 program referenced in section 201 (~~(of this act)~~), chapter 306, Laws
14 of 2013.

15 (2) During the 2013-2015 fiscal biennium, the Washington state
16 patrol shall relocate its data center to the state data center in
17 Olympia. The Washington state patrol shall work with the department
18 of enterprise services to negotiate the lease termination agreement
19 for the current data center site.

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

29 (4) (~~(\$573,000)~~) \$569,000 of the ignition interlock device
30 revolving account—state appropriation is provided solely for the
31 ignition interlock program at the Washington state patrol to provide
32 funding for two staff to work and provide support for the program in
33 working with manufacturers, service centers, technicians, and
34 participants in the program.

35 (5) \$370,000 of the state patrol highway account—state
36 appropriation is provided solely for costs associated with the pilot
37 program described under section 216(5) (~~(of this act)~~), chapter 222,
38 Laws of 2014. The Washington state patrol may incur costs related
39 only to the assignment of cadets and necessary computer equipment and

1 to the reimbursement of the department of transportation for contract
2 costs. The appropriation in this subsection must be funded from the
3 portion of the automated traffic safety camera infraction fines
4 deposited into the state patrol highway account; however, if the
5 fines deposited into the state patrol highway account from automated
6 traffic safety camera infractions do not reach three hundred seventy
7 thousand dollars, the department of transportation shall remit funds
8 necessary to the Washington state patrol to ensure the completion of
9 the pilot program. The Washington state patrol may not incur overtime
10 as a result of this pilot program. The Washington state patrol shall
11 not assign troopers to operate or deploy the pilot program equipment
12 used in roadway construction zones.

13 (6) The cost allocation for any costs incurred for the facilities
14 at the Olympia, Washington airport used for the Washington state
15 patrol aviation section must be split evenly between the state patrol
16 highway account and the general fund.

17 (7) The Washington state patrol shall work with the state
18 interoperability executive committee to compile a list of recent
19 studies evaluating the potential savings and benefits of
20 consolidating law enforcement and emergency dispatching centers and
21 report to the joint transportation committee by December 1, 2014, on
22 the findings and recommendations of those studies. As part of this
23 study, the Washington state patrol must look for potential
24 efficiencies within state government.

25 **Sec. 102.** 2014 c 222 s 208 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF LICENSING**

28	Marine Fuel Tax Refund Account—State	
29	Appropriation.	\$34,000
30	Motorcycle Safety Education Account—State	
31	Appropriation.	\$4,396,000
32	State Wildlife Account—State Appropriation.	\$867,000
33	Highway Safety Account—State Appropriation.	(\$158,505,000)
34		<u>\$161,230,000</u>
35	Highway Safety Account—Federal Appropriation.	\$4,363,000
36	Motor Vehicle Account—State Appropriation.	(\$81,352,000)
37		<u>\$82,410,000</u>
38	Motor Vehicle Account—Federal Appropriation.	\$467,000

1	Motor Vehicle Account—Private/Local Appropriation.	\$1,544,000
2	Ignition Interlock Device Revolving Account—State	
3	Appropriation.	\$2,871,000
4	Department of Licensing Services Account—State	
5	Appropriation.	((\$5,983,000))
6		<u>\$6,481,000</u>
7	TOTAL APPROPRIATION.	((\$260,382,000))
8		<u>\$264,663,000</u>

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

11 (1) \$1,235,000 of the highway safety account—state appropriation
12 is provided solely for the implementation of chapter . . .
13 (Substitute House Bill No. 1752), Laws of 2013 (requirements for the
14 operation of commercial motor vehicles in compliance with federal
15 regulations). If chapter . . . (Substitute House Bill No. 1752), Laws
16 of 2013 is not enacted by June 30, 2013, the amount provided in this
17 subsection lapses.

18 (2) \$1,000,000 of the highway safety account—state appropriation
19 is provided solely for information technology field system
20 modernization.

21 (3) \$5,286,000 of the highway safety account—state appropriation
22 is provided solely for business and technology modernization.

23 (4) \$2,355,000 of the motor vehicle account—state appropriation
24 is provided solely for replacing prorated and fuel tax computer
25 systems used to administer interstate licensing and the collection of
26 fuel tax revenues.

27 (5) \$1,491,000 of the highway safety account—state appropriation
28 is provided solely for the implementation of an updated central
29 issuance system.

30 (6) \$201,000 of the motor vehicle account—state appropriation is
31 provided solely for the implementation of chapter . . . (Substitute
32 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
33 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
34 2013 is not enacted by June 30, 2013, the amount provided in this
35 subsection lapses.

36 (7) \$425,000 of the highway safety account—state appropriation is
37 provided solely for the implementation of chapter . . . (Substitute
38 Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If
39 chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not

1 enacted by June 30, 2013, the amount provided in this subsection
2 lapses.

3 (8) \$289,000 of the motor vehicle account—state appropriation is
4 provided solely for the implementation of chapter . . . (Second
5 Engrossed Substitute Senate Bill No. 5785), Laws of 2014 (license
6 plates). If chapter . . . (Second Engrossed Substitute Senate Bill
7 No. 5785), Laws of 2014 is not enacted by June 30, 2014, the amount
8 provided in this subsection lapses.

9 (9) The appropriation in this section reflects the department
10 charging an amount sufficient to cover the full cost of providing the
11 data requested under RCW 46.12.630(1)(b).

12 (10)(a) The department must convene a work group to examine the
13 use of parking placards and special license plates for persons with
14 disabilities and develop a strategic plan for ending any abuse. In
15 developing this plan, the department must work with the department of
16 health, disabled citizen advocacy groups, and representatives from
17 local government.

18 (b) The work group must be composed of no more than two
19 representatives from each of the entities listed in (a) of this
20 subsection. The work group may, when appropriate, consult with any
21 other public or private entity in order to complete the strategic
22 plan.

23 (c) The strategic plan must include:

24 (i) Oversight measures to ensure that parking placards and
25 special license plates for persons with disabilities are being
26 properly issued, including: (A) The entity responsible for
27 coordinating a randomized review of applications for special parking
28 privileges; (B) a volunteer panel of medical professionals to conduct
29 such reviews; (C) a means to protect the anonymity of both the
30 medical professional conducting a review and the medical professional
31 under review; (D) a means to protect the privacy of applicants by
32 removing any personally identifiable information; and (E) possible
33 sanctions against a medical professional for repeated improper
34 issuances of parking placards or special license plates for persons
35 with disabilities, including those sanctions listed in chapter 18.130
36 RCW; and

37 (ii) The creation of a publicly accessible system in which the
38 validity of parking placards and special license plates for persons
39 with disabilities may be verified. This system must not allow the
40 public to access any personally identifiable information or protected

1 health information of a person who has been issued a parking placard
2 or special license plate.

3 (d) The work group must convene by July 1, 2013, and terminate by
4 December 1, 2013.

5 (e) By December 1, 2013, the work group must deliver to the
6 legislature and the appropriate legislative committees the strategic
7 plan required under this subsection, together with its findings,
8 recommendations, and any necessary draft legislation in order to
9 implement the strategic plan.

10 (11) \$3,082,000 of the highway safety account—state appropriation
11 is provided solely for exam and licensing activities, including the
12 workload associated with providing driver record abstracts, and is
13 subject to the following additional conditions and limitations:

14 (a) The department may furnish driving record abstracts only to
15 those persons or entities expressly authorized to receive the
16 abstracts under Title 46 RCW;

17 (b) The department may furnish driving record abstracts only for
18 an amount that does not exceed the specified fee amounts in RCW
19 46.52.130 (2)(e)(v) and (4); and

20 (c) The department may not enter into a contract, or otherwise
21 participate in any arrangement, with a third party or other state
22 agency for any service that results in an additional cost, in excess
23 of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
24 statutorily authorized persons or entities purchasing a driving
25 record abstract.

26 (12) \$229,000 of the motor vehicle account—state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
29 replacement). If chapter . . . (Engrossed Second Substitute House
30 Bill No. 1129), Laws of 2014 is not enacted by June 30, 2014, the
31 amount provided in this subsection lapses.

32 (~~(14)~~) (13) \$42,000 of the motor vehicle account—state
33 appropriation is provided solely for the implementation of
34 chapter . . . (House Bill No. 2100), Laws of 2014 (Seattle University
35 license plates). If chapter . . . (House Bill No. 2100), Laws of 2014
36 is not enacted by June 30, 2014, the amount provided in this
37 subsection lapses.

38 (~~(15)~~) (14) \$46,000 of the motor vehicle account—state
39 appropriation is provided solely for the implementation of

1 chapter . . . (House Bill No. 2700), Laws of 2014 (breast cancer
2 awareness license plates). If chapter . . . (House Bill No. 2700),
3 Laws of 2014 is not enacted by June 30, 2014, the amount provided in
4 this subsection lapses.

5 ~~((17))~~ (15) \$32,000 of the motor vehicle account—state
6 appropriation is provided solely for the implementation of
7 chapter . . . (House Bill No. 2741), Laws of 2014 (initial vehicle
8 registration). If chapter . . . (House Bill No. 2741), Laws of 2014
9 is not enacted by June 30, 2014, the amount provided in this
10 subsection lapses.

11 ~~((18))~~ (16) Within existing resources, the department must
12 convene a work group that includes, at a minimum, representatives
13 from the department of transportation, the trucking industry,
14 manufacturers of compressed natural gas and liquefied natural gas,
15 and any other stakeholders as deemed necessary, for the following
16 purposes:

17 (a) To evaluate the annual license fee in lieu of fuel tax under
18 RCW 82.38.075 to determine a fee that more closely represents the
19 average consumption of vehicles by weight and to make recommendations
20 to the transportation committees of the legislature by December 1,
21 2014, on an updated fee schedule; and

22 (b) To develop a transition plan to move vehicles powered by
23 liquefied natural gas and compressed natural gas from the annual
24 license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030.
25 The transition plan must incorporate stakeholder feedback and must
26 include draft legislation and cost and revenue estimates. The
27 transition plan must be submitted to the transportation committees of
28 the legislature by December 1, 2015.

29 (c) This subsection takes effect if both chapter . . . (Engrossed
30 Substitute Senate Bill No. 6440), Laws of 2014 (compressed natural
31 gas and liquefied natural gas) and chapter . . . (Substitute House
32 Bill No. 2753), Laws of 2014 (compressed natural gas and liquefied
33 natural gas) are not enacted by June 30, 2014.

34 ~~((19))~~ (17) \$36,000 of the motor vehicle account—state
35 appropriation is provided solely for the implementation of
36 chapter . . . (Substitute Senate Bill No. 5467), Laws of 2014
37 (vehicle owner list furnishment requirements). If chapter . . .
38 (Substitute Senate Bill No. 5467), Laws of 2014 is not enacted by
39 June 30, 2014, the amount provided in this subsection lapses.

1 ((+20)) (18) The department must convene a work group to study
2 the issue of regulating tow truck operators that are not licensed as
3 registered tow truck operators under chapter 46.55 RCW. The work
4 group must examine the advisability of regulating such operators,
5 including any potential benefits to public safety, and possible
6 methodologies for accomplishing this regulation. The work group must
7 include the department, representatives of the Washington state
8 patrol, organized groups of registered tow truck operators, and
9 automobile clubs. The work group may also include hulk haulers,
10 wreckers, transporters, and other stakeholders relating to the issue
11 of unregulated towing for monetary compensation. The work group shall
12 convene as necessary and report its recommendations and draft
13 legislation to the transportation committees of the legislature by
14 December 1, 2014.

15 ((+21)) (19) The department when modernizing its computer
16 systems must place personal and company data elements in separate
17 data fields to allow the department to select discrete data elements
18 when providing information or data to persons or entities outside the
19 department. This requirement must be included as part of the systems
20 design in the department's business and technology modernization. A
21 person's photo, social security number, or medical information must
22 not be made available through public disclosure or data being
23 provided under RCW 46.12.630 or 46.12.635.

24 **Sec. 103.** 2014 c 222 s 209 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
27 **—PROGRAM B**

28	High((-))Occupancy Toll Lanes Operations Account—State	
29	Appropriation.	\$1,942,000
30	Motor Vehicle Account—State Appropriation.	\$514,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$34,267,000
33	State Route Number 520 Civil Penalties Account—State	
34	Appropriation.	(\$4,156,000)
35		<u>\$4,291,000</u>
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation.	(\$25,007,000)
38		<u>\$26,298,000</u>

1	Puget Sound Ferry Operations Account—State	
2	Appropriation.	\$250,000
3	Interstate 405 Express Toll Lanes Operations	
4	Account—State Appropriation.	\$2,019,000
5	TOTAL APPROPRIATION.	(\$68,155,000)
6		<u>\$69,581,000</u>

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

9 (1)(a) The legislature finds that the department's tolling
10 division has expanded greatly in recent years to address the demands
11 of administering several newly tolled facilities using emerging toll
12 collection technologies. The legislature intends for the department
13 to continue its good work in administering the tolled facilities of
14 the state, while at the same time implementing controls and processes
15 to ensure the efficient and judicious administration of toll payer
16 dollars.

17 (b) The legislature finds that the department has undertaken a
18 cost-of-service study in the winter and spring of 2013 for the
19 purposes of identifying in detail the costs of operating and
20 administering tolling on state route number 520, state route number
21 167 high-occupancy toll lanes, and the Tacoma Narrows bridge. The
22 purpose of the study is to provide results to establish a baseline by
23 which future activity may be compared and opportunities identified
24 for cost savings and operational efficiencies. In addition, the
25 legislature finds that the state auditor has undertaken a performance
26 audit of the department's contract for the customer service center
27 and back office processing of tolling transactions. The audit
28 findings, which are expected to include lessons learned, are due in
29 late spring 2013.

30 (c) Using the results of the cost-of-service study and the state
31 audit as a basis, the department shall conduct a review of operations
32 using lean management principles in order to eliminate inefficiencies
33 and redundancies, incorporate lessons learned, and identify
34 opportunities to conduct operations more efficiently and effectively.
35 Within current statutory and budgetary tolling policy, the department
36 shall use the results of the review to improve operations in order to
37 conduct toll operations within the appropriations provided in
38 subsections (2) through (4) of this section. The department shall
39 submit the review, along with the status of and plans for the

1 implementation of review recommendations, to the office of financial
2 management and the house of representatives and senate transportation
3 committees by October 15, 2013.

4 (2) \$10,343,000 of the Tacoma Narrows toll bridge account—state
5 appropriation, \$16,534,000 of the state route number 520 corridor
6 account—state appropriation, \$1,217,000 of the high((-)occupancy
7 toll lanes operations account—state appropriation, and \$514,000 of
8 the motor vehicle account—state appropriation are provided solely for
9 nonvendor costs of administering toll operations, including the costs
10 of: Staffing the division, consultants and other personal service
11 contracts required for technical oversight and management assistance,
12 insurance, payments related to credit card processing, transponder
13 purchases and inventory management, facility operations and
14 maintenance, and other miscellaneous nonvendor costs.

15 (3) \$11,265,000 of the Tacoma Narrows toll bridge account—state
16 appropriation, \$9,730,000 of the state route number 520 corridor
17 account—state appropriation, and \$625,000 of the high((-)occupancy
18 toll lanes operations account—state appropriation are provided solely
19 for vendor-related costs of operating tolled facilities, including
20 the costs of: The customer service center; cash collections on the
21 Tacoma Narrows bridge; electronic payment processing; and toll
22 collection equipment maintenance, renewal, and replacement.

23 (4) \$1,300,000 of the Tacoma Narrows toll bridge account—state
24 appropriation and \$6,000,000 of the state route number 520 corridor
25 account—state appropriation are provided solely for the purposes of
26 addressing unforeseen operations and maintenance costs on the Tacoma
27 Narrows bridge and the state route number 520 bridge, respectively.
28 The office of financial management shall place the amounts provided
29 in this section, which represent a portion of the required minimum
30 fund balance under the policy of the state treasurer, in unallotted
31 status. The office may release the funds only when it determines that
32 all other funds designated for operations and maintenance purposes
33 have been exhausted.

34 (5) \$4,156,000 of the state route number 520 civil penalties
35 account—state appropriation and \$1,039,000 of the Tacoma Narrows toll
36 bridge account—state appropriation are provided solely for
37 expenditures related to the toll adjudication process. The department
38 shall report on the civil penalty process to the office of financial
39 management and the house of representatives and senate transportation

1 committees by the end of each calendar quarter. The reports must
2 include a summary table for each toll facility that includes: The
3 number of notices of civil penalty issued; the number of recipients
4 who pay before the notice becomes a penalty; the number of recipients
5 who request a hearing and the number who do not respond; workload
6 costs related to hearings; the cost and effectiveness of debt
7 collection activities; and revenues generated from notices of civil
8 penalty.

9 (6) The Tacoma Narrows toll bridge account—state appropriation in
10 this section reflects reductions in management costs of \$1,235,000.

11 (7) The department shall make detailed quarterly expenditure
12 reports available to the transportation commission and to the public
13 on the department's web site using current department resources. The
14 reports must include a summary of toll revenue by facility on all
15 operating toll facilities and high occupancy toll lane systems, and
16 an itemized depiction of the use of that revenue.

17 (8) The department shall make detailed quarterly reports to the
18 governor and the transportation committees of the legislature on the
19 use of consultants in the tolling program. The reports must include
20 the name of the contractor, the scope of work, the type of contract,
21 timelines, deliverables, any new task orders, and any extensions to
22 existing consulting contracts.

23 (9)(a) \$250,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely for the development of a plan to
25 integrate and transition customer service, reservation, and payment
26 systems currently provided by the marine division to ferry users into
27 the statewide tolling customer service center.

28 (b)(i) The department shall develop a plan that addresses:

29 (A) A phased implementation approach, beginning with "Good To Go"
30 as a payment option for ferry users;

31 (B) The feasibility, schedule, and cost of creating a single
32 account-based system for toll road and ferry users;

33 (C) Transitioning customer service currently provided by the
34 marine division to the statewide tolling customer service center; and

35 (D) Transitioning existing and planned ferry reservation system
36 support from the marine division to the statewide tolling customer
37 service center.

38 (ii) The plan must be provided to the office of financial
39 management and the transportation committees of the legislature by
40 January 14, 2014.

1 (10)(a) \$2,019,000 of the Interstate 405 express toll lanes
2 operations account—state appropriation is provided solely for
3 operating and maintenance costs of the Interstate 405 express toll
4 lanes program, including staff costs related to operating an
5 additional toll facility, consulting support for operations, purchase
6 of transponders, costs related to adjudication, credit card fees,
7 printing and postage, and customer service center support. Of the
8 amount provided in this subsection, \$519,000 of the Interstate 405
9 express toll lanes operations account—state appropriation must be
10 placed in unallotted status by the office of financial management
11 until a plan to begin tolling the Interstate 405 express toll lanes
12 during the summer of 2015 is finalized and approved by the office of
13 financial management, in consultation with the chairs and ranking
14 member of the transportation committees of the legislature.

15 (b) The funds provided in (a) of this subsection are provided
16 through a transfer from the motor vehicle account—state appropriation
17 in section 407(19) (~~of this act~~), chapter 222, Laws of 2014. These
18 funds are a loan to the Interstate 405 express toll lanes operations
19 account—state appropriation, and the legislature assumes that these
20 funds will be reimbursed to the motor vehicle account at a later date
21 when the Interstate 405 express toll lanes are operational.

22 (11) \$1,060,000 of the Tacoma Narrows toll bridge account—state
23 appropriation, \$2,003,000 of the state route number 520 corridor
24 account—state appropriation, and \$99,000 of the high occupancy toll
25 lanes operations account—state appropriation are provided solely in
26 anticipation of, and to prepare for, the procurement of a new tolling
27 customer service center. Of the amounts provided in this subsection,
28 \$480,000 of the Tacoma Narrows toll bridge account—state
29 appropriation, \$906,000 of the state route number 520 corridor
30 account—state appropriation, and \$45,000 of the high occupancy toll
31 lanes operations account—state appropriation must be placed in
32 unallotted status by the office of financial management until a
33 procurement plan is finalized and approved by the office of financial
34 management, in consultation with the chairs and ranking member of the
35 transportation committees of the legislature. Beginning July 1, 2014,
36 the department shall report quarterly to the governor, legislature,
37 and state auditor on: (a) The department's effort to mitigate risk to
38 the state, (b) the development of a request for proposals, and (c)

1 the overall progress towards procuring a new tolling customer service
2 center.

3 **Sec. 104.** 2014 c 222 s 215 (uncodified) is amended to read as
4 follows:

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

6 Highway Safety Account—State Appropriation.	\$10,000,000
7 Motor Vehicle Account—State Appropriation.	(\$391,358,000)
8	<u>\$392,798,000</u>
9 Motor Vehicle Account—Federal Appropriation.	\$7,000,000
10 TOTAL APPROPRIATION.	(\$408,358,000)
11	<u>\$409,798,000</u>

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

14 (1) \$10,910,000 of the motor vehicle account—state appropriation
15 is provided solely for the department's compliance with its national
16 pollution discharge elimination system permit.

17 (2) \$2,605,000 of the motor vehicle account—state appropriation
18 is provided solely for utility fees assessed by local governments as
19 authorized under RCW 90.03.525 for the mitigation of storm water
20 runoff from state highways.

21 (3) The department shall submit a budget decision for the 2014
22 legislative session package that details all costs associated with
23 utility fees assessed by local governments as authorized under RCW
24 90.03.525.

25 (4) \$50,000 of the motor vehicle account—state appropriation is
26 provided solely for clearing and pruning dangerous trees along state
27 route number 542 between mile markers 43 and 48 to prevent safety
28 hazards and delays.

29 (5) \$2,277,000 of the motor vehicle account—state appropriation
30 is provided solely to replace or rehabilitate critical equipment
31 needed to perform snow and ice removal activities and roadway
32 maintenance. These funds may not be used to purchase passenger cars
33 as defined in RCW 46.04.382.

34 **Sec. 105.** 2014 c 222 s 219 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
37 **PROGRAM U**

1	Motor Vehicle Account—State Appropriation.	((\$74,198,000))
2		<u>\$73,941,000</u>
3	Motor Vehicle Account—Federal Appropriation.	\$400,000
4	Multimodal Transportation Account—State	
5	Appropriation.	\$3,068,000
6	TOTAL APPROPRIATION.	((\$77,666,000))
7		<u>\$77,409,000</u>

8 The appropriations in this section are subject to the following
9 conditions and limitations: The department of enterprise services
10 must provide a detailed accounting of the revenues and expenditures
11 of the self-insurance fund to the transportation committees of the
12 legislature on December 31st and June 30th of each year.

13 **Sec. 106.** 2014 c 222 s 221 (uncodified) is amended to read as
14 follows:

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

16	Puget Sound Ferry Operations Account—State	
17	Appropriation.	((\$483,404,000))
18		<u>\$479,038,000</u>
19	Puget Sound Ferry Operations Account—Private/Local	
20	Appropriation.	\$121,000
21	TOTAL APPROPRIATION.	((\$483,525,000))
22		<u>\$479,159,000</u>

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

25 (1) The office of financial management budget instructions
26 require agencies to recast enacted budgets into activities. The
27 Washington state ferries shall include a greater level of detail in
28 its 2013-2015 supplemental and 2015-2017 omnibus transportation
29 appropriations act requests, as determined jointly by the office of
30 financial management, the Washington state ferries, and the
31 transportation committees of the legislature. This level of detail
32 must include the administrative functions in the operating as well as
33 capital programs.

34 (2) Until a reservation system is operational on the San Juan
35 islands inter-island route, the department shall provide the same
36 priority loading benefits on the San Juan islands inter-island route
37 to home health care workers as are currently provided to patients
38 traveling for purposes of receiving medical treatment.

1 (3) For the 2013-2015 fiscal biennium, the department may enter
2 into a distributor controlled fuel hedging program and other methods
3 of hedging approved by the fuel hedging committee.

4 (4) (~~(\$113,157,000)~~) \$108,791,000 of the Puget Sound ferry
5 operations account—state appropriation is provided solely for auto
6 ferry vessel operating fuel in the 2013-2015 fiscal biennium, which
7 reflect cost savings from a reduced biodiesel fuel requirement and,
8 therefore, are contingent upon the enactment of section 701, chapter
9 306, Laws of 2013. The amount provided in this subsection represent
10 the fuel budget for the purposes of calculating any ferry fare fuel
11 surcharge. The department shall develop a fuel reduction plan to be
12 submitted as part of its 2014 supplemental budget proposal. The plan
13 must include fuel saving proposals, such as vessel modifications,
14 vessel speed reductions, and changes to operating procedures, along
15 with anticipated fuel saving estimates.

16 (5) \$100,000 of the Puget Sound ferry operations account—state
17 appropriation is provided solely for the department's compliance with
18 its national pollution discharge elimination system permit.

19 (6) When purchasing uniforms that are required by collective
20 bargaining agreements, the department shall contract with the lowest
21 cost provider.

22 (7) \$3,049,000 of the Puget Sound ferry operations account—state
23 appropriation is provided solely for the operating program share of
24 the \$7,259,000 in lease payments for the ferry division's
25 headquarters building. Consistent with the 2012 facilities oversight
26 plan, the department shall strive to consolidate office space in
27 downtown Seattle by the end of 2015. The department shall consider
28 renewing the lease for the ferry division's current headquarters
29 building only if the lease rate is reduced at least (~~(fifty)~~) forty
30 percent and analysis shows that this is the least cost and risk
31 option for the department. Consolidation with other divisions or
32 state agencies, or a reduction in leased space, must also be
33 considered as part of any headquarters lease renewal analysis.

34 (8) \$5,000,000 of the Puget Sound ferry operations account—state
35 appropriation is provided solely for the purchase of a 2013-2015
36 marine insurance policy. Within this amount, the department is
37 expected to purchase a policy with the lowest deductible possible,
38 while maintaining at least existing coverage levels for ferry
39 vessels, and providing coverage for all terminals.

1 (9) Within existing resources, the department must evaluate the
2 feasibility of using re-refined used motor oil processed in
3 Washington state as a ferry fuel source. The evaluation must include,
4 but is not limited to, research on existing entities currently using
5 the process for re-refined fuel, any required combustible engine
6 modifications, additional needed equipment on the vessels or fueling
7 locations, cost analysis, compatibility with B-5 blended diesel, and
8 meeting engine performance specifications. The department must
9 establish an evaluation group that includes, but is not limited to,
10 persons experienced in the re-refined motor oil industry. The
11 department must deliver a report containing the results of the
12 evaluation to the transportation committees of the legislature and
13 the office of financial management by December 1, 2014.

14 (10) \$71,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely for one traffic attendant for ferry
16 terminal traffic control at the Fauntleroy ferry terminal.

17 **TRANSPORTATION AGENCIES—CAPITAL**

18 **Sec. 201.** 2014 c 222 s 307 (uncodified) is amended to read as
19 follows:

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

21 Transportation Partnership Account—State

22 Appropriation. \$34,966,000

23 Highway Safety Account—State Appropriation. \$13,500,000

24 Motor Vehicle Account—State Appropriation. (~~(\$59,796,000)~~)

25 \$60,796,000

26 Motor Vehicle Account—Federal Appropriation. \$595,604,000

27 Motor Vehicle Account—Private/Local Appropriation. \$11,827,000

28 Transportation 2003 Account (Nickel Account)—State

29 Appropriation. \$2,650,000

30 Tacoma Narrows Toll Bridge Account—State

31 Appropriation. \$120,000

32 TOTAL APPROPRIATION. (~~(\$718,463,000)~~)

33 \$719,463,000

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 transportation 2003 account (nickel account) appropriation and the

1 entire transportation partnership account appropriation are provided
2 solely for the projects and activities as listed by fund, project,
3 and amount in LEAP Transportation Document 2014-1 as developed March
4 10, 2014, Program - Highway Preservation Program (P). However,
5 limited transfers of specific line-item project appropriations may
6 occur between projects for those amounts listed subject to the
7 conditions and limitations in section 601 (~~of this act~~), chapter
8 222, Laws of 2014.

9 (2) Except as provided otherwise in this section, the entire
10 motor vehicle account—state appropriation and motor vehicle account—
11 federal appropriation are provided solely for the projects and
12 activities listed in LEAP Transportation Document 2014-2 ALL PROJECTS
13 as developed March 10, 2014, Program - Highway Preservation Program
14 (P). The department shall apply any federal funds gained through
15 efficiencies or the redistribution process in an amount up to
16 \$27,200,000 for cost overruns related to the pontoon design errors on
17 the SR 520 Bridge Replacement and HOV project (8BI1003) as described
18 in section 306(12)(f) (~~of this act~~), chapter 222, Laws of 2014. Any
19 federal funds gained through efficiencies or the redistribution
20 process that are in excess of \$27,200,000 must then be applied to the
21 "Contingency (Unfunded) Highway Preservation Projects" as identified
22 in LEAP Transportation Document 2014-2 ALL PROJECTS as developed
23 March 10, 2014, Program - Highway Preservation Program (P). However,
24 no additional federal funds may be allocated to the I-5/Columbia
25 River Crossing project (400506A).

26 (3) Within the motor vehicle account—state appropriation and
27 motor vehicle account—federal appropriation, the department may
28 transfer funds between programs I and P, except for funds that are
29 otherwise restricted in this act.

30 (4) \$26,610,000 of the motor vehicle account—federal
31 appropriation, \$51,000 of the motor vehicle account—state
32 appropriation, and \$769,000 of the highway safety account—state
33 appropriation are provided solely for the SR 167/Puyallup River
34 Bridge Replacement project (316725A). This project must be completed
35 as a design-build project. The department must work with local
36 jurisdictions and the community during the environmental review
37 process to develop appropriate esthetic design elements, at no
38 additional cost to the department, and traffic management plans
39 pertaining to this project. The department must report to the

1 transportation committees of the legislature on estimated cost and/or
2 time savings realized as a result of using the design-build process.

3 (5) The department shall examine the use of electric arc furnace
4 slag for use as an aggregate for new roads and paving projects in
5 high traffic areas and report back to the legislature on its current
6 use in other areas of the country and any characteristics that can
7 provide greater wear resistance and skid resistance in new pavement
8 construction.

9 **Sec. 202.** 2014 c 222 s 309 (uncodified) is amended to read as
10 follows:

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

13 Puget Sound Capital Construction Account—State	
14 Appropriation.	((\$63,825,000))
15	<u>\$65,890,000</u>
16 Puget Sound Capital Construction Account—Federal	
17 Appropriation.	\$118,444,000
18 Puget Sound Capital Construction Account—Private/Local	
19 Appropriation.	\$1,312,000
20 Multimodal Transportation Account—State	
21 Appropriation.	\$2,588,000
22 Transportation 2003 Account (Nickel Account)—State	
23 Appropriation.	\$190,031,000
24 Transportation Partnership Account—State	
25 Appropriation.	\$2,813,000
26 TOTAL APPROPRIATION.	((\$379,013,000))
27	<u>\$381,078,000</u>

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 appropriations in this section are provided solely for the projects
32 and activities as listed in LEAP Transportation Document 2014-2 ALL
33 PROJECTS as developed March 10, 2014, Program - Washington State
34 Ferries Capital Program (W).

35 (2) The Puget Sound capital construction account—state
36 appropriation includes up to \$20,000,000 in proceeds from the sale of
37 bonds authorized in RCW 47.10.843.

1 (3) \$137,425,000 of the transportation 2003 account (nickel
2 account)—state appropriation, \$2,338,000 of the transportation
3 partnership account—state appropriation, and \$300,000 of the Puget
4 Sound capital construction account—federal appropriation are provided
5 solely for the acquisition of two 144-car vessels (projects L2200038
6 and L2200039). The department shall use as much already procured
7 equipment as practicable on the 144-car vessels.

8 (4) \$14,728,000 of the Puget Sound capital construction account—
9 federal appropriation, \$4,038,000 of the Puget Sound capital
10 construction account—state appropriation, and \$1,535,000 of the
11 multimodal transportation account—state appropriation are provided
12 solely for the Mukilteo ferry terminal (project 952515P). To the
13 greatest extent practicable, the department shall seek additional
14 federal funding for this project. Within the multimodal
15 transportation account—state appropriation amount provided in this
16 subsection, the department shall lease to the city in which the
17 project is located a portion of the department's property associated
18 with this project to provide safe, temporary public access from the
19 easterly terminus of First Street to the vicinity of Front Street.
20 The department shall provide the lease at no cost in recognition of
21 the impacts of this project to the city and require appropriate
22 liability and maintenance coverage in the terms of the lease. Public
23 access must be installed and removed at no cost to the state prior to
24 construction of the multimodal terminal project.

25 (5) (~~(\$4,935,000)~~) \$7,000,000 of the Puget Sound capital
26 construction account—state appropriation is provided solely for
27 emergency capital repair costs (project 999910K). Funds may only be
28 spent after approval by the office of financial management.

29 (6) Consistent with RCW 47.60.662, which requires the Washington
30 state ferry system to collaborate with passenger-only ferry and
31 transit providers to provide service at existing terminals, the
32 department shall ensure that multimodal access, including for
33 passenger-only ferries and transit service providers, is not
34 precluded by any future modifications at the terminal.

35 (7) \$4,026,000 of the Puget Sound capital construction account—
36 state appropriation is provided solely for the reservation and
37 communications system projects (L200041 & L200042).

38 (8) \$4,210,000 of the Puget Sound capital construction account—
39 state appropriation is provided solely for the capital program share

1 of \$7,259,000 in lease payments for the ferry division's headquarters
2 building. Consistent with the 2012 facilities oversight plan, the
3 department shall strive to consolidate office space in downtown
4 Seattle by the end of 2015. The department shall consider renewing
5 the lease for the ferry division's current headquarters building only
6 if the lease rate is reduced at least (~~fifty~~) forty percent and
7 analysis shows that this is the least cost and risk option for the
8 department. Consolidation with other divisions or state agencies, or
9 a reduction in leased space, must also be considered as part of any
10 headquarters lease renewal analysis.

11 (9) \$23,737,000 of the total appropriation is for preservation
12 work on the Hyak super class vessel (project 944431D), including
13 installation of a power management system and more efficient
14 propulsion systems, that in combination are anticipated to save up to
15 twenty percent in fuel and reduce maintenance costs. Upon completion
16 of this project, the department shall provide a report to the
17 transportation committees of the legislature on the fuel and
18 maintenance savings achieved for this vessel and the potential to
19 save additional funds through other vessel conversions.

20 (10) The transportation 2003 account (nickel account)—state
21 appropriation includes up to \$50,000,000 in proceeds from the sale of
22 bonds authorized in RCW 47.10.861.

23 (11) \$50,000,000 of the transportation 2003 account (nickel
24 account)—state appropriation is provided solely for the acquisition
25 of one 144-car vessel (project L1000063). If chapter . . . (Engrossed
26 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
27 replacement) is not enacted by June 30, 2014, the amount provided in
28 the subsection lapses.

29 (12) If the department pursues a conversion of the existing
30 diesel powered Issaquah class fleet to a different fuel source or
31 engine technology, the department must use a design-build procurement
32 process.

33 (13) \$350,000 of the Puget Sound capital construction account—
34 state appropriation is provided solely for the issuance of a request
35 for proposals to convert the Issaquah class vessels to use liquefied
36 natural gas and to provide a one-time stipend to the entity awarded
37 the conversion contract. Of the amounts provided in this subsection:

38 (a) \$100,000 of the Puget Sound capital construction account—
39 state appropriation is for the department to issue a request for

1 proposals for a design-build contract consistent with RCW 47.20.780
2 to convert six Issaquah class vessels to be powered by liquefied
3 natural gas. Consistent with RCW 47.56.030(2)(c), the legislature
4 finds that the performance needs of the department in converting to
5 liquefied natural gas are for engines with the lowest life-cycle
6 costs, and the department must weigh this criteria as a priority when
7 evaluating the proposals. To encourage cost saving ideas, the
8 department shall limit prescribing design elements in the proposal to
9 those approved or required by the United States coast guard in the
10 liquefied natural gas waterways suitability assessment or those
11 otherwise essential to provide clear direction to bidders. The
12 request for proposals must include a process for evaluating proposals
13 that may include alternative financing arrangements that are in
14 compliance with state private financing law. When evaluating the
15 financial merits of any liquefied natural gas conversion request for
16 proposals, the department shall give consideration to the inability
17 of the state to fund a liquefied natural gas conversion using
18 currently available public resources. The department shall issue the
19 request for proposals within forty-five days of rejecting the
20 liquefied natural gas request for proposals issued under section
21 308(11), chapter 86, Laws of 2012 or receiving final findings from
22 the United States coast guard on the liquefied natural gas waterways
23 suitability assessment, whichever is later.

24 (b) \$250,000 of the Puget Sound capital construction account—
25 state appropriation is for the entity awarded the contract pursuant
26 to this subsection.

27 **TRANSFERS AND DISTRIBUTIONS**

28 **Sec. 301.** 2014 c 222 s 401 (uncodified) is amended to read as
29 follows:

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

34 Transportation Partnership Account—State
35 Appropriation. \$3,099,000
36 Motor Vehicle Account—State Appropriation. ((~~\$187,000~~))
37 \$229,000

1 State Route Number 520 Corridor Account—State
2 Appropriation. (~~(\$3,866,000)~~)
3 \$866,000
4 Highway Bond Retirement Account—State
5 Appropriation. (~~(\$1,086,801,000)~~)
6 \$1,068,801,000
7 Ferry Bond Retirement Account—State Appropriation. (~~(\$31,824,000)~~)
8 \$30,824,000
9 Transportation Improvement Board Bond Retirement
10 Account—State Appropriation. \$16,268,000
11 Nondebt-Limit Reimbursable Bond Retirement Account—
12 State Appropriation. \$25,825,000
13 Toll Facility Bond Retirement Account—State
14 Appropriation. \$52,050,000
15 Transportation 2003 Account (Nickel Account)—State
16 Appropriation. \$682,000
17 TOTAL APPROPRIATION. (~~(\$1,220,602,000)~~)
18 \$1,198,644,000

19 **Sec. 302.** 2014 c 222 s 402 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
22 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
23 **FISCAL AGENT CHARGES**

24 Transportation Partnership Account—State
25 Appropriation. \$588,000
26 Motor Vehicle Account—State Appropriation. (~~(\$32,000)~~)
27 \$43,000
28 State Route Number 520 Corridor Account—State
29 Appropriation. \$531,000
30 Transportation 2003 Account (Nickel Account)—State
31 Appropriation. \$123,000
32 TOTAL APPROPRIATION. (~~(\$1,274,000)~~)
33 \$1,285,000

34 **Sec. 303.** 2014 c 222 s 403 (uncodified) is amended to read as
35 follows:

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

4 Toll Facility Bond Retirement Account—Federal
5 Appropriation. \$69,913,000

6 **Sec. 304.** 2014 c 222 s 404 (uncodified) is amended to read as
7 follows:

8 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

9 Motor Vehicle Account—State Appropriation: For
10 motor vehicle fuel tax distributions to cities
11 and counties. ((~~\$478,598,000~~))
12 \$480,991,000

13 **Sec. 305.** 2014 c 222 s 405 (uncodified) is amended to read as
14 follows:

15 **FOR THE STATE TREASURER—TRANSFERS**

16 Motor Vehicle Account—State Appropriation: For
17 motor vehicle fuel tax refunds and statutory
18 transfers. ((~~\$1,242,728,000~~))
19 \$1,248,043,000

20 **Sec. 306.** 2014 c 222 s 406 (uncodified) is amended to read as
21 follows:

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

23 Motor Vehicle Account—State Appropriation:
24 For motor vehicle fuel tax refunds
25 and transfers. ((~~\$138,494,000~~))
26 \$135,862,000

27 **Sec. 307.** 2014 c 222 s 407 (uncodified) is amended to read as
28 follows:

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

30 (1) Recreational Vehicle Account—State
31 Appropriation: For transfer to the Motor Vehicle
32 Account—State. \$1,300,000

33 (2) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Puget Sound
35 Ferry Operations Account—State. \$13,000,000

1 intended to be reimbursed from proceeds of those transportation bonds
2 in a maximum amount equal to the amount of such appropriation.

3 **MISCELLANEOUS**

4 NEW SECTION. **Sec. 501.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

8 NEW SECTION. **Sec. 502.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of
10 the state government and its existing public institutions, and takes
11 effect immediately.

(End of Bill)

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