
SENATE BILL 5972

State of Washington

66th Legislature

2019 Regular Session

By Senators Hobbs, King, Saldaña, Sheldon, Cleveland, Fortunato, Randall, Zeiger, Palumbo, Takko, Nguyen, Wilson, C., Mullet, Lias, Padden, Lovelett, Das, Conway, and Wagoner

Read first time 02/22/19. Referred to Committee on Transportation.

1 AN ACT Relating to additive transportation funding and
2 appropriations; creating new sections; making appropriations; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) An additive transportation budget of
6 the state is hereby adopted and, subject to the provisions set forth,
7 the several amounts specified, or as much thereof as may be necessary
8 to accomplish the purposes designated, are hereby appropriated from
9 the several accounts and funds named to the designated state agencies
10 and offices for employee compensation and other expenses, for capital
11 projects, and for other specified purposes, including the payment of
12 any final judgments arising out of such activities, for the period
13 ending June 30, 2021.

14 (2) It is the intent of the legislature that the funding levels
15 specified in LEAP Transportation Document 2019 NL-2 as developed
16 February 11, 2019, represents a commitment to provide appropriations
17 to the agencies, programs, and activities at the amounts identified
18 therein through fiscal year 2029.

19 (3) Unless the context clearly requires otherwise, the
20 definitions in this subsection apply throughout this act.

- 1 (a) "Fiscal year 2020" or "FY 2020" means the fiscal year ending
 2 June 30, 2020.
- 3 (b) "Fiscal year 2021" or "FY 2021" means the fiscal year ending
 4 June 30, 2021.
- 5 (c) "FTE" means full-time equivalent.
- 6 (d) "Lapse" or "revert" means the amount shall return to an
 7 unappropriated status.
- 8 (e) "Provided solely" means the specified amount may be spent
 9 only for the specified purpose. Unless otherwise specifically
 10 authorized in this act, any portion of an amount provided solely for
 11 a specified purpose that is not expended subject to the specified
 12 conditions and limitations to fulfill the specified purpose shall
 13 lapse.
- 14 (f) "Reappropriation" means appropriation and, unless the context
 15 clearly provides otherwise, is subject to the relevant conditions and
 16 limitations applicable to appropriations.
- 17 (g) "LEAP" means the legislative evaluation and accountability
 18 program committee.

19 **2019-2021 FISCAL BIENNIUM**
 20 **TRANSPORTATION AGENCIES—OPERATING**

21 NEW SECTION. **Sec. 201. FOR THE DEPARTMENT OF TRANSPORTATION—**
 22 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION—PROGRAM D**
 23 Forward Washington Account—State Appropriation. \$2,000,000

24 NEW SECTION. **Sec. 202. FOR THE DEPARTMENT OF TRANSPORTATION—**
 25 **HIGHWAY MAINTENANCE—PROGRAM M**
 26 Forward Washington Account—State Appropriation. \$50,000,000

27 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF TRANSPORTATION—**
 28 **TRAFFIC OPERATIONS—PROGRAM Q**
 29 Forward Washington Account—State Appropriation \$5,000,000

30 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—**
 31 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**
 32 Forward Washington Account—State Appropriation \$100,000

33 The appropriation in this section is subject to the following
 34 conditions and limitations:

1 (1) \$100,000 of the forward Washington—state account is provided
2 solely for the department to study the possible different governance
3 structures for a bridge authority that would provide for the joint
4 administration of the bridges over the Columbia river between Oregon
5 and Washington. As part of this study, the department must examine
6 the feasibility and necessity of an interstate compact in conjunction
7 with the national center for interstate compacts. The department must
8 report back the results of the study to the transportation committees
9 of the legislature by December 1, 2019.

10 (2) State transportation planning funds for regional
11 transportation planning organizations may be provided only to those
12 organizations that provide a reasonable opportunity for voting
13 membership to federally recognized tribes within the respective
14 organization's planning area, as described in chapter . . . (Senate
15 Bill No. 5778 (S-1113/19)), Laws of 2019.

16 NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **PUBLIC TRANSPORTATION—PROGRAM V**

18 Rural Mobility Grant Program Account—State

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|----|---|--------------|
| 19 | Appropriation. | \$11,000,000 |
| 20 | Forward Flexible Account—State Appropriation. | \$58,000,000 |
| 21 | TOTAL APPROPRIATION. | \$69,000,000 |

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

24 (1) \$20,000,000 of the forward flexible account—state
25 appropriation is provided solely for a grant program for special
26 needs transportation provided by transit agencies and nonprofit
27 providers of transportation.

28 (2) \$11,000,000 of the rural mobility grant program account—state
29 appropriation is provided solely for grants to aid small cities in
30 rural areas as prescribed in RCW 47.66.100.

31 (3) \$3,000,000 of the multimodal transportation account—state
32 appropriation is provided solely for a vanpool grant program for: (a)
33 Public transit agencies to add vanpools or replace vans; and (b)
34 incentives for employers to increase employee vanpool use. The grant
35 program for public transit agencies must cover capital costs only.
36 Operating costs for public transit agencies are not eligible for
37 funding under this grant program.

1 (4) \$500,000 of the forward flexible account—state appropriation
2 is provided solely for transit coordination grants.

3 (5) \$30,000,000 of the forward flexible account—state
4 appropriation is provided solely for bus and bus facility grants. It
5 is the intent of the legislature, over the ten-year new investment
6 program, that this grant program will provide \$25,000,000 in state
7 funds for Division Street High Performance Transit Infrastructure.

8 (6) \$4,500,000 of the forward flexible account—state
9 appropriation is provided solely for expanded transportation demand
10 management. The department shall employ strategies to incentivize the
11 use of transportation demand management at the local level. The
12 department may partner with public, private, and nonprofit groups
13 whose missions include topical areas such as social equity, public
14 health, land use planning, transit oriented development, and active
15 transportation.

16 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF COMMERCE**

17 Forward Flexible Account—State Appropriation. \$50,000,000

18 \$50,000,000 of the forward flexible account—state appropriation
19 is provided solely for transportation grid electrification grants.
20 The purpose of the grant program is to aid public entities in funding
21 projects that improve the connectivity and efficiency of our
22 transportation system. The department shall identify cost-effective
23 projects and submit a prioritized list of all projects requesting
24 funding to the legislature by December 1st of each year. It is the
25 intent of the legislature, over the ten-year new law investment
26 program, that this grant program will provide a negotiated amount of
27 state funds for an electrical substation upgrade sufficient to meet
28 the electric charging needs of Chelan-Douglas PTBA (Link Transit),
29 including their transit center and bus barn facilities.

30 **TRANSPORTATION AGENCIES—CAPITAL**

31 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
32 **INVESTMENT BOARD**

33 Freight Mobility Investment Account—State Appropriation. . \$2,500,000
34 Freight Mobility Multimodal Account—State Appropriation. . \$2,500,000
35 TOTAL APPROPRIATION. \$5,000,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The entire freight mobility investment
3 account—state appropriation and the entire freight mobility
4 multimodal account—state appropriation are provided solely to enhance
5 the grant and allocation programs administered by the freight
6 mobility investment board.

7 NEW SECTION. **Sec. 302. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

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|----|---|--------------|
| 8 | Transportation Improvement Account—State Appropriation. | \$9,000,000 |
| 9 | Forward Flexible Account—State Appropriation. | \$9,000,000 |
| 10 | TOTAL APPROPRIATION. | \$18,000,000 |

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

- 13 (1) The entire forward flexible account—state appropriation is
14 provided solely to enhance the complete streets program.
- 15 (2) The entire transportation improvement account—state
16 appropriation is provided solely to enhance the existing city grant
17 and allocation programs administered by the transportation
18 improvement board.

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

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|----|---|-------------|
| 20 | Rural Arterial Trust Account—State Appropriation. | \$3,500,000 |
| 21 | County Arterial Preservation Account—State Appropriation. | \$3,500,000 |
| 22 | TOTAL APPROPRIATION. | \$7,000,000 |

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

- 25 (1) \$1,000,000 of the rural arterial trust account—state
26 appropriation and \$1,000,000 of the county arterial preservation
27 account—state appropriation are provided solely for deposit into the
28 county road administration board emergency loan revolving account
29 created in section 501 of this act for emergency loans to certain
30 counties. The board may create an emergency revolving loan program
31 through which the board may award emergency loans to counties with a
32 population of less than eight hundred thousand as of April 1, 2019,
33 from the funds available in the county road administration board
34 emergency loan revolving account. The loans must be repaid with
35 interest of not more than three percent and any negotiated
36 administrative charges. The repayment of any loan made from the

1 county road administration board emergency loan revolving account
2 must be paid into the county road administration board emergency loan
3 revolving account. An application for loan funds under this section
4 must be made in the form and manner as the board may prescribe. The
5 board shall submit a report to the legislature by December 1, 2020,
6 identifying each project that received money from the county road
7 administration board emergency loan revolving account, the amount of
8 the loan, the repayment terms of the loan, the expected date of
9 repayment, and the loan repayment status. For purposes of this
10 subsection, "emergency loans" are loans that:

11 (a) Cover work resulting from a sudden natural or human caused
12 event which results in the destruction or severe damage to county
13 roadway sections or structures such that, in the consideration of
14 public safety and use, the roadway sections or structures must be
15 immediately closed or substantially restricted to normal traffic;

16 (b) Cover work of either a temporary or permanent nature, which
17 restores roads and bridges to a preemergency condition and may
18 include reconstruction to current design standards;

19 (c) Cover work of an emergency nature that is beyond the scope of
20 work done by a county in repairing damages normally or reasonably
21 expected from seasonal or other natural conditions, and is beyond
22 what would be considered maintenance, regardless of how extensive the
23 maintenance may be; and

24 (d) Cover work in area included in a county, state, or federal
25 emergency proclamation related to the event that caused the damage
26 the emergency project intends to correct.

27 (2) \$2,500,000 of the rural arterial trust account—state
28 appropriation and \$2,500,000 of the county arterial preservation
29 account—state appropriation are provided solely to enhance the rural
30 arterial and the county arterial preservation programs.

31 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **IMPROVEMENTS—PROGRAM I**

33 Forward Washington Account—State Appropriation. . . . \$770,642,000

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

36 (1) The entire forward Washington account appropriation is
37 provided solely for the projects and activities as listed by fund,

1 project, and amount in LEAP Transportation Document 2019 NL-1 as
2 developed February 11, 2019, Highway Improvements Program (I).

3 (2) \$350,000,000 of the forward Washington account—state
4 appropriation is provided solely for the removal of fish culverts
5 using a watershed approach to maximize habitat gain by replacing both
6 state and local culverts. Of this amount, the department must replace
7 the culvert impacted by the US 101/Lower Hoh Road Intersection
8 Improvements project (L2000279) in the 2019-2021 biennium.

9 (3) \$50,000,000 of the forward Washington account—state
10 appropriation is provided solely for storm water retrofits and
11 improvements.

12 (4) It is the legislature's intent that the SR 18 Widening -
13 Issaquah/Hobart Rd to Raging River project (L1000199) include
14 headlight shields from oncoming traffic and adequate highway lighting
15 in order to improve safety on the corridor.

16 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **PRESERVATION—PROGRAM P**

18 Forward Washington Account—State Appropriation. . . . \$100,000,000

19 The appropriation in this section is subject to the following
20 conditions and limitations: The entire forward Washington account
21 appropriation is provided solely for the projects and activities as
22 listed by fund, project, and amount in LEAP Transportation Document
23 2019 NL-1 as developed February 11, 2019, Highway Preservation
24 Program (P).

25 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
26 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

27 Forward Washington Account—State Appropriation. . . . \$167,000,000

28 The appropriation in this section is subject to the following
29 conditions and limitations: The entire forward Washington account
30 appropriation in this section is provided solely for the projects and
31 activities as listed in LEAP Transportation Document 2019 NL-1 as
32 developed February 11 2019, Washington State Ferries Capital Program
33 (W).

34 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
35 **RAIL—PROGRAM Y**

1 Forward Flexible Account—State Appropriation. \$15,000,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: The entire appropriation in this section
4 is provided solely for the projects and activities as listed in LEAP
5 Transportation Document 2019 NL-1 as developed February 11, 2019,
6 Rail Capital Program (Y).

7 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **LOCAL PROGRAMS—PROGRAM Z**

9 Forward Flexible Account—State Appropriation. \$32,500,000

10 Forward Washington Account—State Appropriation. \$23,658,000

11 TOTAL APPROPRIATION. \$56,158,000

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

14 (1) \$23,658,000 forward Washington account—state appropriation is
15 provided solely for the projects and activities as listed by fund,
16 project, and amount in LEAP Transportation Document 2019 NL-1 as
17 developed February 11, 2019, Local Program (Z).

18 (2) \$10,000,000 of the forward flexible account—state
19 appropriation is provided solely for a Washington ports grant
20 program. It is the intent of the legislature, over the ten-year new
21 investment program, that this grant program will provide \$9,000,000
22 in state funds for the Spokane airport Transload facility.

23 (3) \$16,500,000 of the forward flexible account—state
24 appropriation is provided solely for newly selected pedestrian and
25 bicycle safety program projects.

26 (4) \$6,000,000 of the forward flexible account—state
27 appropriation is provided solely for newly selected safe routes to
28 school projects.

29 **TRANSFERS AND DISTRIBUTIONS**

30 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—ADMINISTRATIVE**
31 **TRANSFERS**

32 (1) Forward Flexible Account—State Appropriation:
33 For transfer to the Freight Mobility Multimodal
34 Account—State. \$2,500,000

35 (2) Forward Flexible Account—State Appropriation:

1 For transfer to the Rural Mobility Grant
2 Program Account—State. \$11,000,000
3 (3) (a) Forward Flexible Account—State Appropriation:
4 For transfer to the General Fund—State. \$5,000,000
5 (b) The transfer in this subsection is solely for
6 reimbursement of eligible alternative fuel tax credits.
7 (4) Forward Washington Account—State Appropriation:
8 For transfer to the Freight Mobility Investment
9 Account—State. \$2,500,000
10 (5) Forward Washington Account—State Appropriation:
11 For transfer to the Rural Arterial Trust Account
12 —State. \$3,500,000
13 (6) Forward Washington Account—State Appropriation:
14 For transfer to the Transportation Improvement
15 Account—State. \$9,000,000
16 (7) Forward Washington Account—State Appropriation:
17 For transfer to the County Arterial Preservation
18 Account—State. \$3,500,000

19 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—STATE REVENUES**
20 **FOR DISTRIBUTION TO CITIES AND COUNTIES**

21 Forward Flexible Account—State Appropriation:
22 For distribution to cities and counties. \$37,500,000

23 The appropriation in this section is subject to the following
24 conditions and limitations: The amount provided must be allocated
25 between cities and counties using proportionate shares that are
26 consistent with the total amount of fuel tax revenue distributed
27 under RCW 46.68.090 to cities and counties. Funds credited to cities
28 must be allocated under RCW 46.68.110(4). Funds credited to counties
29 must be allocated under RCW 46.68.120(4). Expenditures from these
30 funds may be used only for transportation purposes.

31 **MISCELLANEOUS**

32 NEW SECTION. **Sec. 501.** The county road administration board
33 emergency loan revolving account is created in the custody of the
34 state treasurer. All receipts from moneys collected under section 303
35 of this act must be deposited into the account. Expenditures from the
36 account may be used only for the purposes described in section 303 of

1 this act. Only the county road administration board or its designee
2 may authorize expenditures from the account. The account is subject
3 to allotment procedures under chapter 43.88 RCW, but an appropriation
4 is not required for expenditures.

5 NEW SECTION. **Sec. 502.** The legislature intends that the
6 following projects be designated as projects of statewide
7 significance and be provided the benefit of the project facilitation
8 and coordination specified in chapter . . . (Senate Bill No. 5847
9 (S-0669/19)), Laws of 2019 (significant transportation projects):
10 (1) US 2 Trestle replacement;
11 (2) I-5 Bridge over the Columbia River replacement;
12 (3) Fish passage barrier removal projects;
13 (4) Hood River Bridge replacement;
14 (5) Bridge of the Gods replacement;
15 (6) All future bridges over the Columbia River that connect
16 Washington with Oregon.

17 NEW SECTION. **Sec. 503.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 504.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of
23 the state government and its existing public institutions, and takes
24 effect immediately.

(End of Bill)

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