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**HOUSE BILL 1135**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Fey, Bronoske, Hackney, and Ramos; by request of Office of Financial Management

Prefiled 01/08/21. Read first time 01/11/21. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;  
2 amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.280, 46.68.325,  
3 47.56.876, 46.68.370, 46.68.300, 47.60.322, 47.66.120, 46.68.290,  
4 82.44.135, 46.68.395, 47.56.864, 47.56.165, 82.21.030, and 47.56.876;  
5 creating new sections; making appropriations and authorizing  
6 expenditures for capital improvements; providing contingent effective  
7 dates; providing an expiration date; and declaring an emergency.

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

9 **2021-2023 FISCAL BIENNIUM**

10 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state  
11 is hereby adopted and, subject to the provisions set forth, the  
12 several amounts specified, or as much thereof as may be necessary to  
13 accomplish the purposes designated, are hereby appropriated from the  
14 several accounts and funds named to the designated state agencies and  
15 offices for employee compensation and other expenses, for capital  
16 projects, and for other specified purposes, including the payment of  
17 any final judgments arising out of such activities, for the period  
18 ending June 30, 2023.

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

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

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

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 **GENERAL GOVERNMENT AGENCIES—OPERATING**

18 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**  
19 **HISTORIC PRESERVATION**

20 Motor Vehicle Account—State Appropriation . . . . . \$525,000

21 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**  
22 **COMMISSION**

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

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

25 TOTAL APPROPRIATION. . . . . \$654,000

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

27 Motor Vehicle Account—State Appropriation . . . . . \$1,407,000

28 Puget Sound Ferry Operations Account—State Appropriation . . \$126,000

29 TOTAL APPROPRIATION. . . . . \$1,533,000

30 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**  
31 **COMMISSION**

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

1 The appropriation in this section is subject to the following  
2 conditions and limitations: The appropriation in this section is  
3 provided solely for road maintenance purposes.

4 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

5 Motor Vehicle Account—State Appropriation . . . . . \$1,334,000

6 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**  
7 **ACCOUNTABILITY PROGRAM COMMITTEE**

8 Motor Vehicle Account—State Appropriation . . . . . \$676,000

9 NEW SECTION. **Sec. 107. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

10 Pilotage Account—State Appropriation . . . . . \$5,758,000

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

13 (1) \$2,926,000 of the pilotage account—state appropriation is  
14 provided solely for self-insurance liability premium expenditures;  
15 however, this appropriation is contingent upon the board:

16 (a) Annually depositing the first \$150,000 collected through  
17 Puget Sound pilotage district pilotage tariffs into the pilotage  
18 account; and

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

22 (2) The board of pilotage commissioners shall file the annual  
23 report to the governor and chairs of the transportation committees  
24 required under RCW 88.16.035(1)(f) by September 1, 2021, and annually  
25 thereafter. The report must include the continuation of policies and  
26 procedures necessary to increase the diversity of pilots, trainees,  
27 and applicants, including a diversity action plan. The diversity  
28 action plan must articulate a comprehensive vision of the board's  
29 diversity goals and the steps it will take to reach those goals.

30 NEW SECTION. **Sec. 108. FOR THE HOUSE OF REPRESENTATIVES**

31 Motor Vehicle Account—State Appropriation . . . . . \$3,213,000

32 NEW SECTION. **Sec. 109. FOR THE SENATE**

33 Motor Vehicle Account—State Appropriation . . . . . \$3,128,000

1 NEW SECTION. **Sec. 110. FOR THE DEPARTMENT OF ECOLOGY**

2 (1) When distributing funds for litter control the department  
3 shall give priority to litter control along state highways.

4 (2) The department shall contract with the department of  
5 transportation to schedule litter prevention messaging and  
6 coordination of litter emphasis patrols with the Washington state  
7 patrol. The department of transportation may coordinate with the  
8 department to conduct litter pickup during scheduled maintenance  
9 closures as situations allow.

10 **TRANSPORTATION AGENCIES—OPERATING**

11 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**  
12 **COMMISSION**

13	Highway Safety Account—State Appropriation . . . . .	\$4,560,000
14	Highway Safety Account—Federal Appropriation . . . . .	\$26,993,000
15	Highway Safety Account—Private/Local Appropriation . . . . .	\$60,000
16	School Zone Safety Account—State Appropriation . . . . .	\$850,000
17	TOTAL APPROPRIATION. . . . .	\$32,463,000

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

19	Rural Arterial Trust Account—State Appropriation . . . . .	\$1,054,000
20	Motor Vehicle Account—State Appropriation . . . . .	\$2,608,000
21	County Arterial Preservation Account—State	
22	Appropriation . . . . .	\$1,604,000
23	TOTAL APPROPRIATION. . . . .	\$5,266,000

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

25	Transportation Improvement Account—State	
26	Appropriation . . . . .	\$4,342,000

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

28	Motor Vehicle Account—State Appropriation . . . . .	\$1,579,000
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29 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

30	Motor Vehicle Account—State Appropriation . . . . .	\$2,686,000
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31 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**  
32 **INVESTMENT BOARD**

1	Freight Mobility Investment Account—State	
2	Appropriation . . . . .	\$776,000
3	<b><u>NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL</u></b>	
4	State Patrol Highway Account—State Appropriation . . . . .	\$538,977,000
5	State Patrol Highway Account—Federal Appropriation . . . . .	\$15,797,000
6	State Patrol Highway Account—Private/Local	
7	Appropriation . . . . .	\$4,263,000
8	Highway Safety Account—State Appropriation . . . . .	\$1,214,000
9	Ignition Interlock Device Revolving Account—State	
10	Appropriation . . . . .	\$5,045,000
11	Multimodal Transportation Account—State	
12	Appropriation . . . . .	\$260,000
13	TOTAL APPROPRIATION. . . . .	\$565,556,000

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

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

25 (2) \$565,000 of the state patrol highway account—state  
26 appropriation is provided solely for aerial criminal investigation  
27 tools, including software licensing and maintenance, and annual  
28 certification, and is subject to the conditions, limitations, and  
29 review requirements of section 701 of this act.

30 (3) The Washington state patrol must report annually to the house  
31 and senate transportation committees on the status of recruitment and  
32 retention activities as follows:

- 33 (a) A summary of recruitment and retention strategies;
- 34 (b) The number of transportation funded staff vacancies by major  
35 category;
- 36 (c) The number of applicants for each of the positions by these  
37 categories;
- 38 (d) The composition of workforce; and

1 (e) Other relevant outcome measures with comparative information  
2 with recent comparable months in prior years.

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

4	Marine Fuel Tax Refund Account—State Appropriation . . . . .	\$34,000
5	Motorcycle Safety Education Account—State	
6	Appropriation . . . . .	\$4,884,000
7	Limited Fish and Wildlife Account. . . . .	\$919,000
8	Highway Safety Account—State Appropriation . . . . .	\$240,724,000
9	Highway Safety Account—Federal Appropriation . . . . .	\$1,294,000
10	Motor Vehicle Account—State Appropriation . . . . .	\$63,854,000
11	Motor Vehicle Account—Federal Appropriation. . . . .	\$150,000
12	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$15,604,000
13	Ignition Interlock Device Revolving Account—State	
14	Appropriation . . . . .	\$4,073,000
15	Department of Licensing Services Account—State	
16	Appropriation . . . . .	\$8,156,000
17	License Plate Technology Account—State	
18	Appropriation . . . . .	\$4,250,000
19	Abandoned Recreational Vehicle Account—State	
20	Appropriation. . . . .	\$3,068,000
21	Limousine Carriers Account—State Appropriation. . . . .	\$110,000
22	Electric Vehicle Account—State Appropriation. . . . .	\$405,000
23	DOL Technology Improvement & Data Management	
24	Account—State Appropriation. . . . .	\$725,000
25	Agency Financial Transaction Account—State	
26	Appropriation. . . . .	\$15,870,000
27	TOTAL APPROPRIATION. . . . .	\$364,120,000

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

30 (1) (a) The department must implement cost recovery mechanisms to  
31 recoup at least a portion of credit card and other financial  
32 transaction costs as part of charges imposed for driver and vehicle  
33 fee transactions. The department must develop a method of tracking  
34 the amount of credit card and other financial cost-recovery revenues.  
35 The department must notify the state treasurer of these amounts and  
36 the state treasurer must deposit these revenues in the agency  
37 financial transaction account on a quarterly basis. If Z-0117.2/21

1 (cost recovery of state agency credit card and transaction fees) is  
2 enacted by June 30, 2021, this subsection (1) (a) lapses.

3 (b) The appropriations in this section assume implementation by  
4 the department of cost recovery mechanisms to recoup at least  
5 \$15,870,000 during the 2021-2023 biennium in credit card and other  
6 financial transaction costs as part of charges imposed for driver and  
7 vehicle fee transactions. During the 2021-2023 fiscal biennium, the  
8 department must report any amounts recovered to the office of  
9 financial management and appropriate committees of the legislature on  
10 a quarterly basis.

11 (2) The appropriations in this section assume full cost recovery  
12 for the administration and collection of a motor vehicle excise tax  
13 on behalf of any regional transit authority pursuant to section 713  
14 of this act.

15 (3) \$32,000 of the motorcycle safety education account—state  
16 appropriation, \$3,000 of the limited fish and wildlife account—state  
17 appropriation, \$2,000,000 of the highway safety account—state  
18 appropriation, \$651,000 of the motor vehicle account—state  
19 appropriation, \$29,000 of the ignition interlock device revolving  
20 account—state appropriation, and \$29,000 of the department of  
21 licensing services account—state appropriation are provided solely  
22 for the department to redesign and improve its online services and  
23 website, and are subject to the conditions, limitations, and review  
24 requirements of section 701 of this act.

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

27	State Route Number 520 Corridor Account—State	
28	Appropriation . . . . .	\$52,875,000
29	State Route Number 520 Civil Penalties Account—State	
30	Appropriation . . . . .	\$4,121,000
31	Tacoma Narrows Toll Bridge Account—State	
32	Appropriation . . . . .	\$30,037,000
33	Alaskan Way Viaduct Replacement Project Account—State	
34	Appropriation. . . . .	\$21,393,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation. . . . .	\$24,259,000
37	TOTAL APPROPRIATION. . . . .	\$132,685,000

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

3 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state  
4 appropriation and \$12,483,846 of the state route number 520 corridor  
5 account—state appropriation are provided solely for the purposes of  
6 addressing unforeseen operations and maintenance costs on the Tacoma  
7 Narrows bridge and the state route number 520 bridge, respectively.  
8 The office of financial management shall place the amounts provided  
9 in this subsection, which represent a portion of the required minimum  
10 fund balance under the policy of the state treasurer, in unallotted  
11 status. The office may release the funds only when it determines that  
12 all other funds designated for operations and maintenance purposes  
13 have been exhausted.

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

19 (a) Total express toll lane and total general purpose lane  
20 traffic volumes, as well as per lane traffic volumes for each type of  
21 lane (i) compared to total express toll lane and total general  
22 purpose lane traffic volumes, as well as per lane traffic volumes for  
23 each type of lane, on this segment of Interstate 405 prior to  
24 implementation of the express toll lanes and (ii) compared to total  
25 express toll lane and total general purpose lane traffic volumes, as  
26 well as per lane traffic volumes for each type of lane, from month to  
27 month since implementation of the express toll lanes; and

28 (b) Underlying congestion measurements, that is, speeds, that are  
29 being used to generate the summary graphs provided, to be made  
30 available in a digital file format.

31 (3) (a) \$708,000 of the Interstate 405 and state route number 167  
32 express toll lanes account—state appropriation, \$1,651,000 of the  
33 state route number 520 corridor account—state appropriation, \$709,000  
34 of the Tacoma Narrows toll bridge account—state appropriation, and  
35 \$932,000 of the Alaskan Way viaduct replacement project account—state  
36 appropriation are provided solely for the department to finish  
37 implementing a new tolling customer service toll collection system,  
38 and are subject to the conditions, limitations, and review provided  
39 in section 701 of this act.



1 (b) The department shall continue to work with the office of  
2 financial management, office of the chief information officer, and  
3 the transportation committees of the legislature on the project  
4 management plan that includes a provision for independent  
5 verification and validation of contract deliverables from the  
6 successful bidder and a provision for quality assurance that includes  
7 reporting independently to the office of the chief information  
8 officer on an ongoing basis during system implementation.

9 (4) The department shall make detailed annual reports to the  
10 transportation committees of the legislature and the public on the  
11 department's website on the following:

12 (a) The toll adjudication process, including a summary table for  
13 each toll facility that includes:

14 (i) An overview of the toll escalation process from pay by mail  
15 to notice of civil penalty;

16 (ii) An overview, by facility, of the number tolls assessed a  
17 civil penalty, penalties paid, transactions paid, penalties waived,  
18 tolls paid after issuance of notice and number of hearings and  
19 related transactions;

20 (iii) A narrative summary providing analysis and highlighting  
21 trends of toll enforcement; and

22 (b) A summary of toll revenue by facility on all operating toll  
23 facilities and express toll lane systems, and an itemized depiction  
24 of the use of that revenue.

25 (5) \$24,735,000 of the Interstate 405 and state route number 167  
26 express toll lanes account—state appropriation is provided solely for  
27 operational costs related to the express toll lane facility.

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

1 (7) \$18,840,000 of the Alaskan Way viaduct replacement project  
 2 account—state appropriation is provided solely for the new state  
 3 route number 99 tunnel toll facility's expected share of collecting  
 4 toll revenues, operating customer services, and maintaining toll  
 5 collection systems. The legislature expects to see appropriate  
 6 reductions to the other toll facility accounts once tolling on the  
 7 new state route number 99 tunnel toll facility commences and any  
 8 previously incurred costs for start-up of the new facility are  
 9 charged back to the Alaskan Way viaduct replacement project account.  
 10 The office of financial management shall closely monitor the  
 11 application of the cost allocation model and ensure that the new  
 12 state route number 99 tunnel toll facility is adequately sharing  
 13 costs and the other toll facility accounts are not being overspent or  
 14 subsidizing the new state route number 99 tunnel toll facility.

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

17	Transportation Partnership Account—State Appropriation . . .	\$1,379,000
18	Motor Vehicle Account—State Appropriation . . . . .	\$108,163,000
19	Puget Sound Ferry Operations Account—State	
20	Appropriation . . . . .	\$263,000
21	Multimodal Transportation Account—State	
22	Appropriation . . . . .	\$2,716,000
23	Transportation 2003 Account (Nickel Account)—State	
24	Appropriation . . . . .	\$1,392,000
25	TOTAL APPROPRIATION. . . . .	\$113,913,000

26 The appropriations in this section are subject to the following  
 27 conditions and limitations: \$8,546,000 of the motor vehicle account—  
 28 state appropriation is provided solely for the department's cost  
 29 related to the one Washington project, and is subject to the  
 30 conditions, limitations, and review requirements of section 701 of  
 31 this act.

32 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**  
 33 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—**  
 34 **OPERATING**

35	Motor Vehicle Account—State Appropriation . . . . .	\$35,785,000
36	State Route Number 520 Corridor Account—State	
37	Appropriation . . . . .	\$34,000

1 TOTAL APPROPRIATION. . . . . \$35,819,000

2 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**  
3 **TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

4 Motor Vehicle Account—State Appropriation . . . . . \$10,000,000

5 The appropriations in this section are subject to the following  
6 conditions and limitations: \$10,000,000 of the motor vehicle account—  
7 state appropriation is provided solely for the department's cost  
8 related to preserving transportation equipment.

9 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**  
10 **AVIATION—PROGRAM F**

11 Aeronautics Account—State Appropriation . . . . . \$7,485,000

12 Aeronautics Account—Federal Appropriation . . . . . \$3,916,000

13 Aeronautics Account—Private/Local Appropriation . . . . . \$60,000

14 Multimodal Transportation Account—State Appropriation. . . \$1,000,000

15 TOTAL APPROPRIATION. . . . . \$12,461,000

16 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**  
17 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

18 Motor Vehicle Account—State Appropriation . . . . . \$56,043,000

19 Motor Vehicle Account—Federal Appropriation . . . . . \$500,000

20 Multimodal Transportation Account—State Appropriation . . . \$258,000

21 TOTAL APPROPRIATION. . . . . \$56,801,000

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

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

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

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

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

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

28 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**  
29 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

30 Motor Vehicle Account—State Appropriation . . . . .	\$617,000
31 Electric Vehicle Account—State Appropriation. . . . .	\$2,000,000
32 Multimodal Transportation Account—State Appropriation. . .	\$3,900,000
33 TOTAL APPROPRIATION. . . . .	\$6,517,000

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

36 (1) The economic partnerships program must continue to explore  
37 retail partnerships at state-owned park and ride facilities, as  
38 authorized in RCW 47.04.295.

1 (2) \$2,000,000 of the electric vehicle account—state  
2 appropriation is provided solely for the clean alternative fuel  
3 vehicle charging and refueling infrastructure program in chapter 287,  
4 Laws of 2019 (advancing green transportation adoption).

5 (3) \$1,200,000 of the multimodal transportation account—state  
6 appropriation is provided solely for the pilot program established  
7 under chapter 287, Laws of 2019 (advancing green transportation  
8 adoption) to provide clean alternative fuel vehicle use opportunities  
9 to underserved communities and low to moderate income members of the  
10 workforce not readily served by transit or located in transportation  
11 corridors with emissions that exceed federal or state emissions  
12 standards.

13 (4) (a) \$1,500,000 of the multimodal transportation account—state  
14 appropriation is provided solely for an electric vehicle education  
15 and promotion program that encourages electric vehicle purchases and  
16 raises awareness about electric vehicle incentives. In particular,  
17 the department shall provide customized outreach to low-income  
18 individuals and low-income communities to increase consumer awareness  
19 about electric vehicles and available incentives.

20 (b) For the purposes of this subsection:

21 (i) "Low income" means a resident of the state whose household  
22 income is less than or equal to 300 percent of the federal poverty  
23 level.

24 (ii) "Low income community" means a community in the state with  
25 residents whose household income is less than or equal to 300 percent  
26 of the federal poverty level.

27 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**  
28 **HIGHWAY MAINTENANCE—PROGRAM M**

29	Motor Vehicle Account—State Appropriation . . . . .	\$492,791,000
30	Motor Vehicle Account—Federal Appropriation . . . . .	\$7,000,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation . . . . .	\$4,097,000
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation . . . . .	\$1,480,000
35	Alaskan Way Viaduct Replacement Project	
36	Account—State Appropriation . . . . .	\$8,160,000
37	Interstate 405 and State Route Number 167 Express	
38	Toll Lanes Account—State Appropriation. . . . .	\$2,545,000

1 TOTAL APPROPRIATION. . . . . \$516,073,000

2 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**  
3 **TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

4 Motor Vehicle Account—State Appropriation . . . . . \$73,172,000

5 Motor Vehicle Account—Federal Appropriation . . . . . \$2,050,000

6 Motor Vehicle Account—Private/Local Appropriation . . . . . \$250,000

7 State Route Number 520 Corridor Account—State  
8 Appropriation. . . . . \$160,000

9 Alaskan Way Viaduct Replacement Project Account—  
10 State Appropriation. . . . . \$1,080,000

11 TOTAL APPROPRIATION. . . . . \$76,712,000

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

14 (1) \$6,000,000 of the motor vehicle account—state appropriation  
15 is provided solely for low-cost enhancements. The department shall  
16 give priority to low-cost enhancement projects that improve safety or  
17 provide congestion relief. By December 15th of each odd-numbered  
18 year, the department shall provide a report to the legislature  
19 listing all low-cost enhancement projects completed in the prior  
20 fiscal biennium.

21 (2) (a) During the 2021-2023 fiscal biennium, the department shall  
22 continue a pilot program that expands private transportation  
23 providers' access to high occupancy vehicle lanes. Under the pilot  
24 program, when the department reserves a portion of a highway based on  
25 the number of passengers in a vehicle, the following vehicles must be  
26 authorized to use the reserved portion of the highway if the vehicle  
27 has the capacity to carry eight or more passengers, regardless of the  
28 number of passengers in the vehicle: (i) Auto transportation company  
29 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter  
30 carrier vehicles regulated under chapter 81.70 RCW, except marked or  
31 unmarked stretch limousines and stretch sport utility vehicles as  
32 defined under department of licensing rules; (iii) private nonprofit  
33 transportation provider vehicles regulated under chapter 81.66 RCW;  
34 and (iv) private employer transportation service vehicles. For  
35 purposes of this subsection, "private employer transportation  
36 service" means regularly scheduled, fixed-route transportation  
37 service that is offered by an employer for the benefit of its  
38 employees. Nothing in this subsection is intended to authorize the

1 conversion of public infrastructure to private, for-profit purposes  
2 or to otherwise create an entitlement or other claim by private users  
3 to public infrastructure.

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

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

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

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

35 (3) When regional transit authority construction activities are  
36 visible from a state highway, the department shall allow the regional  
37 transit authority to place safe and appropriate signage informing the  
38 public of the purpose of the construction activity.

39 (4) The department must make signage for low-height bridges a  
40 high priority.

1 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

3	Motor Vehicle Account—State Appropriation . . . . .	\$35,994,000
4	Motor Vehicle Account—Federal Appropriation . . . . .	\$780,000
5	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
6	Multimodal Transportation Account—State	
7	Appropriation . . . . .	\$2,129,000
8	TOTAL APPROPRIATION. . . . .	\$39,403,000

9 The appropriations in this section are subject to the following  
10 conditions and limitations: \$2,000,000 of the motor vehicle account—  
11 state appropriation and \$1,000,000 of the multimodal transportation  
12 account—state appropriation are provided solely for a grant program  
13 that makes awards to nonprofit agencies, churches, and other entities  
14 to perform outreach to populations underrepresented in the current  
15 apprenticeship programs with an emphasis on outreach and support to  
16 the juvenile rehabilitation and foster care communities to: (1)  
17 Provide preapprenticeship training in one or more of the highway  
18 construction trades; (2) support services that may include assistance  
19 with transportation, child care, basic tools, housing, and other  
20 barrier reducing support that are needed to help women, minorities,  
21 veterans, and other disadvantaged individuals enter and succeed in  
22 apprenticeship; (3) provide mentorship and retention training; and  
23 (4) provide cultural competency training to foster and encourage a  
24 safe and welcoming worksite for every person on all Washington state  
25 department of transportation construction projects. This grant  
26 program facilitates access to career connected learning  
27 opportunities, including career awareness and exploration, career  
28 preparation, and career launch programs, as defined in RCW  
29 28C.30.020. The department must report on grants that have been  
30 awarded and the amount of funds disbursed by December 1st each year.

31 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**

32 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

33	Interstate 405 and State Route Number 167 Express Toll Lanes	
34	Account—State Appropriation. . . . .	\$2,879,000
35	Motor Vehicle Account—State Appropriation . . . . .	\$24,116,000
36	Motor Vehicle Account—Federal Appropriation . . . . .	\$30,785,000
37	Motor Vehicle Account—Private/Local Appropriation. . . . .	\$400,000
38	Multimodal Transportation Account—State Appropriation . . . . .	\$1,066,000



1	Multimodal Transportation Account—Federal	
2	Appropriation . . . . .	\$2,809,000
3	Multimodal Transportation Account—Private/Local	
4	Appropriation . . . . .	\$100,000
5	TOTAL APPROPRIATION. . . . .	\$62,155,000

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

8 (1) \$2,879,000 of the high occupancy toll lanes operations  
9 account—state appropriation is provided solely for updating the state  
10 route number 167 master plan.

11 (2) \$500,000 of the multimodal transportation account—state  
12 appropriation is provided for the department to partner with the  
13 department of commerce in developing statewide vehicle miles traveled  
14 targets and a process for developing geography specific vehicle miles  
15 traveled targets based on the statewide vehicle miles traveled  
16 targets. Given land use patterns are key factors in travel demand and  
17 should be taken into consideration when developing the geography  
18 specific targets, the department and the department of commerce shall  
19 partner with local jurisdictions, regional transportation planning  
20 organizations and other stakeholders to inventory existing laws and  
21 rules that promote transportation and land use, identify gaps and  
22 make recommendations for changes in laws, rules and agency guidance,  
23 and establish a framework for considering underserved and rural  
24 communities in the evaluation. The department and the department of  
25 commerce shall provide an initial technical report by December 31,  
26 2021, an interim report by June 22, 2022, and a final report to the  
27 governor and legislature by June 30, 2023, that includes a process  
28 for establishing geography specific vehicle miles traveled reduction  
29 targets and funding requirements for state and local jurisdictions.

30 NEW SECTION.     **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**  
31 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

32	Motor Vehicle Account—State Appropriation . . . . .	\$95,716,000
33	Multimodal Transportation Account—State	
34	Appropriation . . . . .	\$8,119,000
35	TOTAL APPROPRIATION. . . . .	\$103,835,000

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

1 (1) Consistent with existing protocol and practices, for any  
2 negotiated settlement of a claim against the state for the department  
3 that exceeds \$5,000,000, the department, in conjunction with the  
4 attorney general and the department of enterprise services, shall  
5 notify the director of the office of financial management and the  
6 transportation committees of the legislature.

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

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

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

32 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**  
33 **PUBLIC TRANSPORTATION—PROGRAM V**

34	State Vehicle Parking Account—State Appropriation . . . . .	\$784,000
35	Regional Mobility Grant Program Account—State	
36	Appropriation . . . . .	\$93,939,000
37	Rural Mobility Grant Program Account—State	
38	Appropriation . . . . .	\$33,168,000

1	Multimodal Transportation Account—State	
2	Appropriation . . . . .	\$150,235,000
3	Multimodal Transportation Account—Federal	
4	Appropriation . . . . .	\$3,574,000
5	Multimodal Transportation Account—Local	
6	Appropriation . . . . .	\$100,000
7	TOTAL APPROPRIATION. . . . .	\$281,800,000

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

10       (1) \$62,821,000 of the multimodal transportation account—state  
11 appropriation is provided solely for a grant program for special  
12 needs transportation provided by transit agencies and nonprofit  
13 providers of transportation. Of this amount:

14       (a) \$14,420,000 of the multimodal transportation account—state  
15 appropriation is provided solely for grants to nonprofit providers of  
16 special needs transportation. Grants for nonprofit providers must be  
17 based on need, including the availability of other providers of  
18 service in the area, efforts to coordinate trips among providers and  
19 riders, and the cost effectiveness of trips provided.

20       (b) \$48,401,000 of the multimodal transportation account—state  
21 appropriation is provided solely for grants to transit agencies to  
22 transport persons with special transportation needs. To receive a  
23 grant, the transit agency must, to the greatest extent practicable,  
24 have a maintenance of effort for special needs transportation that is  
25 no less than the previous year's maintenance of effort for special  
26 needs transportation. Grants for transit agencies must be prorated  
27 based on the amount expended for demand response service and route  
28 deviated service in calendar year 2017 as reported in the "Summary of  
29 Public Transportation - 2017" published by the department of  
30 transportation. No transit agency may receive more than thirty  
31 percent of these distributions.

32       (2) \$33,168,000 of the rural mobility grant program account—state  
33 appropriation is provided solely for grants to aid small cities in  
34 rural areas as prescribed in RCW 47.66.100.

35       (3) (a) \$10,290,000 of the multimodal transportation account—state  
36 appropriation is provided solely for a vanpool grant program for: (i)  
37 Public transit agencies to add vanpools or replace vans; and (ii)  
38 incentives for employers to increase employee vanpool use. The grant  
39 program for public transit agencies will cover capital costs only;

1 operating costs for public transit agencies are not eligible for  
2 funding under this grant program. Additional employees may not be  
3 hired from the funds provided in this section for the vanpool grant  
4 program, and supplanting of transit funds currently funding vanpools  
5 is not allowed. The department shall encourage grant applicants and  
6 recipients to leverage funds other than state funds.

7 (b) At least \$1,600,000 of the amount provided in this subsection  
8 must be used for vanpool grants in congested corridors.

9 (4) \$16,261,000 of the regional mobility grant program account—  
10 state appropriation is reappropriated and provided solely for the  
11 regional mobility grant projects identified in OFM Transportation  
12 Document 21GOV001 as developed December 17, 2020, Program - Public  
13 Transportation Program (V).

14 (5) (a) \$77,679,000 of the regional mobility grant program account  
15 —state appropriation and \$5,000,000 of the multimodal transportation  
16 account—state appropriation are provided solely for the regional  
17 mobility grant projects identified in OFM Transportation Document  
18 21GOV001 as developed December 17, 2020, Program - Public  
19 Transportation Program (V). The department shall review all projects  
20 receiving grant awards under this program at least semiannually to  
21 determine whether the projects are making satisfactory progress. Any  
22 project that has been awarded funds, but does not report activity on  
23 the project within one year of the grant award, must be reviewed by  
24 the department to determine whether the grant should be terminated.  
25 The department shall promptly close out grants when projects have  
26 been completed, and any remaining funds must be used only to fund  
27 projects identified in the OFM transportation document referenced in  
28 this subsection. The department shall provide annual status reports  
29 on December 15, 2021, and December 15, 2022, to the office of  
30 financial management and the transportation committees of the  
31 legislature regarding the projects receiving the grants. It is the  
32 intent of the legislature to appropriate funds through the regional  
33 mobility grant program only for projects that will be completed on  
34 schedule. A grantee may not receive more than 25 percent of the  
35 amount appropriated in this subsection. Additionally, when allocating  
36 funding for the 2021-2023 biennium, no more than thirty percent of  
37 the total grant program may directly benefit or support one grantee.  
38 The department shall not approve any increases or changes to the

1 scope of a project for the purpose of a grantee expending remaining  
2 funds on an awarded grant.

3 (b) In order to be eligible to receive a grant under (a) of this  
4 subsection during the 2021-2023 fiscal biennium, a transit agency  
5 must establish a process for private transportation providers to  
6 apply for the use of park and ride facilities. For purposes of this  
7 subsection, (i) "private transportation provider" means: An auto  
8 transportation company regulated under chapter 81.68 RCW; a passenger  
9 charter carrier regulated under chapter 81.70 RCW, except marked or  
10 unmarked stretch limousines and stretch sport utility vehicles as  
11 defined under department of licensing rules; a private nonprofit  
12 transportation provider regulated under chapter 81.66 RCW; or a  
13 private employer transportation service provider; and (ii) "private  
14 employer transportation service" means regularly scheduled, fixed-  
15 route transportation service that is offered by an employer for the  
16 benefit of its employees.

17 (6) Funds provided for the commute trip reduction (CTR) program  
18 may also be used for the growth and transportation efficiency center  
19 program.

20 (7) \$6,500,000 of the multimodal transportation account—state  
21 appropriation and \$784,000 of the state vehicle parking account—state  
22 appropriation are provided solely for CTR grants and activities. Of  
23 this amount:

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

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

1 commute trip reduction board shall provide the transportation  
2 committees of the legislature a report on the effectiveness of this  
3 grant program and best practices for continuing the program.

4 (8) Except as provided otherwise in this subsection, \$28,263,000  
5 of the multimodal transportation account—state appropriation is  
6 provided solely for connecting Washington transit projects identified  
7 in OFM Transportation Document 21GOV001 as developed December 17,  
8 2020. It is the intent of the legislature that entities identified to  
9 receive funding in the OFM document referenced in this subsection  
10 receive the amounts specified in the time frame specified in that OFM  
11 document. If an entity has already completed a project in the OFM  
12 document referenced in this subsection before the time frame  
13 identified, the entity may substitute another transit project or  
14 projects that cost a similar or lesser amount.

15 (9) The department shall not require more than a 10 percent match  
16 from nonprofit transportation providers for state grants.

17 (10) \$31,993,000 of the multimodal transportation account—state  
18 appropriation is provided solely for the green transportation capital  
19 grant program established in chapter 287, Laws of 2019 (advancing  
20 green transportation adoption).

21 (11) \$555,000 of the multimodal transportation account—state  
22 appropriation is provided solely for an interagency transfer to the  
23 Washington State University extension energy program to establish and  
24 administer a technical assistance and education program for public  
25 agencies on the use of alternative fuel vehicles.

26 (12) \$350,000 of the multimodal fund—state appropriation is  
27 provided solely for a telework assistance pilot program. Program  
28 objectives include improving transportation system performance,  
29 supporting economic vitality, and increasing equity and access to  
30 opportunity. This program shall be developed jointly by the  
31 transportation demand management executive board and transportation  
32 demand management technical committee to provide human resources  
33 assistance and management consultation to entities including but not  
34 limited to businesses, nonprofits, and local and regional governments  
35 on telework best practices. The transportation demand management  
36 executive board and transportation demand management technical  
37 committee shall jointly report to the transportation committees of  
38 the legislature and the office of financial management on the

1 effectiveness of this grant program, lessons learned, and best  
2 practices for continuing the program by September 30, 2022.

3 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **MARINE—PROGRAM X**

5	Puget Sound Ferry Operations Account—State	
6	Appropriation . . . . .	\$517,469,000
7	Puget Sound Ferry Operations Account—Federal	
8	Appropriation . . . . .	\$12,461,000
9	Puget Sound Ferry Operations Account—Private/Local	
10	Appropriation . . . . .	\$121,000
11	TOTAL APPROPRIATION. . . . .	\$530,051,000

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

14 (1) The office of financial management budget instructions  
15 require agencies to recast enacted budgets into activities. The  
16 Washington state ferries shall include a greater level of detail in  
17 its 2021-2023 supplemental and 2023-2025 omnibus transportation  
18 appropriations act requests, as determined jointly by the office of  
19 financial management, the Washington state ferries, and the  
20 transportation committees of the legislature. This level of detail  
21 must include the administrative functions in the operating as well as  
22 capital programs.

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

27 (3) \$73,161,000 of the Puget Sound ferry operations account—state  
28 appropriation is provided solely for auto ferry vessel operating fuel  
29 in the 2021-2023 fiscal biennium, which reflect cost savings from a  
30 reduced biodiesel fuel requirement and, therefore, is contingent upon  
31 the enactment of section 702 of this act. The amount provided in this  
32 subsection represents the fuel budget for the purposes of calculating  
33 any ferry fare fuel surcharge. The department shall review future use  
34 of alternative fuels and dual fuel configurations, including  
35 hydrogen.

36 (4) \$500,000 of the Puget Sound ferry operations account—state  
37 appropriation is provided solely for operating costs related to

1 moving vessels for emergency capital repairs. Funds may only be spent  
2 after approval by the office of financial management.

3 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **RAIL—PROGRAM Y—OPERATING**

5 Multimodal Transportation Account—State  
6 Appropriation . . . . . \$83,212,000  
7 Multimodal Transportation Account—Private/Local  
8 Appropriation . . . . . \$46,000  
9 TOTAL APPROPRIATION. . . . . \$83,258,000

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

12 (1) The department is directed to continue to pursue efforts to  
13 reduce costs, increase ridership, and review Amtrak Cascades fares  
14 and fare schedules. Within 30 days of each annual cost/revenue  
15 reconciliation under the Amtrak service contract, the department  
16 shall report annual credits to the office of financial management and  
17 the legislative transportation committees. Annual credits from Amtrak  
18 to the department including, but not limited to, credits due to  
19 higher ridership, reduced level of service, and fare or fare schedule  
20 adjustments, must be used to offset corresponding amounts of the  
21 multimodal transportation account—state appropriation, which must be  
22 placed in reserve.

23 (2) (a) \$3,250,000 of the multimodal transportation account—state  
24 appropriation is provided solely for development of a coordinating  
25 entity, integration into regional transportation plans, and public  
26 engagement for an ultra high-speed corridor system in Washington,  
27 Oregon, and British Columbia. "Ultra high-speed" means a maximum  
28 testing speed of at least 250 miles per hour. The work must build on  
29 the results of the 2020 Washington state ultra high-speed ground  
30 transportation governance and financing analysis.

31 (b) Specifically, the work to develop a coordinating entity must  
32 prepare the corridor for project initiation by working with relevant  
33 government agencies and private sector entities, identifying and  
34 solidifying a common vision and goals for the project, advancing  
35 preenvironmental clearance and conceptual engineering, and developing  
36 a consistent project approach needed to plan for and advance the  
37 development of the corridor and a future development authority. The  
38 work to integrate the project into regional transportation plans and



1 the public engagement work must facilitate and inform a future  
2 environmental analysis. Funding in this appropriation may be used for  
3 matching funds for federal grants and related staff support for the  
4 project. The department shall provide a report to the governor and  
5 transportation committees of the legislature by June 30, 2023.

6 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—**  
7 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

8	Motor Vehicle Account—State Appropriation . . . . .	\$10,224,000
9	Motor Vehicle Account—Federal Appropriation . . . . .	\$2,567,000
10	Multiuse Roadway Safety Account—State Appropriation . . . . .	\$132,000
11	TOTAL APPROPRIATION. . . . .	\$12,923,000

12 The appropriations in this section are subject to the following  
13 conditions and limitations: The entire multiuse roadway safety  
14 account—state appropriation is provided solely for grants under RCW  
15 46.09.540, subject to the following limitations:

- 16 (1) 25 percent of the amounts provided are reserved for counties  
17 that each have a population of 15,000 persons or less;
- 18 (2)(a) 75 percent of the amounts provided are reserved for  
19 counties that each have a population exceeding 15,000 persons; and
- 20 (b) No county that receives a grant or grants under this section  
21 may receive more than \$60,000 in total grants.

22 **TRANSPORTATION AGENCIES—CAPITAL**

23 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**  
24 **INVESTMENT BOARD**

25	Freight Mobility Investment Account—State	
26	Appropriation . . . . .	\$17,190,000
27	Freight Mobility Multimodal Account—State	
28	Appropriation . . . . .	\$18,958,000
29	TOTAL APPROPRIATION. . . . .	\$36,148,000

30 The appropriations in this section are subject to the following  
31 conditions and limitations: The appropriations in this section are  
32 for the projects by amount, as listed in the OFM Transportation  
33 Document 21GOV002 as developed December 17, 2020.

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

1 State Patrol Highway Account—State Appropriation . . . . . \$3,456,000

2 The appropriation in this section is subject to the following  
3 conditions and limitations:

4 The entire appropriation in this section is for the following  
5 projects:

- 6 (1) \$350,000 for emergency repairs;
- 7 (2) \$695,000 for roof replacements;
- 8 (3) \$350,000 for fuel tank decommissioning;
- 9 (4) \$750,000 for generator and electrical replacement;
- 10 (5) \$195,000 for Yakima office exterior envelope;
- 11 (6) \$466,000 for snow cat equipment shelter; and
- 12 (7) \$650,000 for weatherization at Bow Hill and SeaTac North.

13 The Washington state patrol may transfer funds between projects  
14 specified in this section to address cash flow requirements. If a  
15 project specified in this section is completed for less than the  
16 amount provided, the remainder may be transferred to another project  
17 specified in this section not to exceed the total appropriation  
18 provided in this section.

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

20 Rural Arterial Trust Account—State Appropriation . . . . .	\$55,028,000
21 Motor Vehicle Account—State Appropriation . . . . .	\$1,456,000
22 County Arterial Preservation Account—State	
23 Appropriation . . . . .	\$37,379,000
24 TOTAL APPROPRIATION. . . . .	\$93,863,000

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

26 Small City Pavement and Sidewalk Account—State	
27 Appropriation . . . . .	\$4,100,000
28 Transportation Improvement Account—State	
29 Appropriation . . . . .	\$201,000,000
30 Complete Streets Grant Program Account—State	
31 Appropriation . . . . .	\$14,670,000
32 TOTAL APPROPRIATION. . . . .	\$219,770,000

33 The appropriations in this section are subject to the following  
34 conditions and limitations: \$2,500,000 of the transportation  
35 improvement account—state appropriation is for the Relight Washington  
36 Program. The transportation improvement board shall conduct a survey  
37 of all cities that are not currently eligible for the Relight

1 Washington Program to determine demand for the program regardless of  
2 the current eligibility criteria.

3 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**  
4 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**  
5 **CAPITAL**

6	Motor Vehicle Account—State Appropriation . . . . .	\$9,427,000
7	Connecting Washington Account—State Appropriation . . . . .	\$18,289,000
8	TOTAL APPROPRIATION. . . . .	\$27,716,000

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

11 (1) \$3,289,000 of the connecting Washington account—state  
12 appropriation is for a new Olympic region maintenance and  
13 administration facility to be located on the department-owned site at  
14 the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

15 (2) (a) \$2,900,000 of the motor vehicle account—state  
16 appropriation is for the department facility located at 15700 Dayton  
17 Ave N in Shoreline.

18 (b) Payments from the department of ecology pursuant to the  
19 agreement with the department to pay a share of a financing contract  
20 shall be deposited into the motor vehicle account.

21 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**  
22 **IMPROVEMENTS—PROGRAM I**

23	Transportation Partnership Account—State	
24	Appropriation . . . . .	\$140,768,000
25	Motor Vehicle Account—State Appropriation . . . . .	\$74,172,000
26	Motor Vehicle Account—Federal Appropriation . . . . .	\$245,980,000
27	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$38,703,000
28	State Route Number 520 Corridor Account—State	
29	Appropriation. . . . .	\$15,940,000
30	Connecting Washington Account—State	
31	Appropriation . . . . .	\$2,034,734,000
32	Special Category C Account—State Appropriation . . . . .	\$119,560,000
33	Multimodal Transportation Account—State	
34	Appropriation . . . . .	\$984,000
35	Transportation 2003 Account (Nickel Account)—State	
36	Appropriation . . . . .	\$149,000

1	Interstate 405 and State Route Number 167 Express	
2	Toll Lanes Account—State Appropriation. . . . .	\$32,308,000
3	TOTAL APPROPRIATION. . . . .	\$2,703,298,000

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

6       (1) (a) Except as provided otherwise in this section, the entire  
7 connecting Washington account—state appropriation and the entire  
8 transportation partnership account—state appropriation are for the  
9 projects and activities as listed by fund, project, and amount in OFM  
10 Transportation Document 21GOV001 as developed December 17, 2020,  
11 Program - Highway Improvements Program (I). Limited transfers of  
12 specific line-item project appropriations may occur between projects  
13 for those amounts listed subject to the conditions and limitations in  
14 section 601 of this act.

15       (b) The OFM document referenced in (a) of this subsection  
16 contains the entirety of projects in Program - Highway Improvements  
17 Program (I) that may receive funding during the 2021-2023 biennium.  
18 However, the connecting Washington account—state appropriation  
19 provided in this section for the projects in the OFM document assumes  
20 not all projects will be fully funded during the biennium. The  
21 governor and the office of financial management will work with the  
22 members and appropriate committees of the legislature to determine  
23 which projects will be prioritized so that the appropriation amount  
24 is not exceeded.

25       (2) Except as provided otherwise in this section, the entire  
26 motor vehicle account—state appropriation and motor vehicle account—  
27 federal appropriation are for the projects and activities listed in  
28 OFM Transportation Document 21GOV001 as developed December 17, 2020,  
29 Program - Highway Improvements Program (I). Any federal funds gained  
30 through efficiencies, adjustments to the federal funds forecast,  
31 additional congressional action not related to a specific project or  
32 purpose, or the federal funds redistribution process must then be  
33 applied to highway and bridge preservation activities or fish passage  
34 barrier corrections (0BI4001).

35       (3) Within the motor vehicle account—state appropriation, motor  
36 vehicle account—federal appropriation, and the connecting Washington  
37 account—state appropriation, the department may transfer funds  
38 between programs I and P, except for funds that are otherwise  
39 restricted in this act. 10 days prior to any transfer, the department

1 must submit its request to the office of financial management and the  
2 transportation committees of the legislature and consider any  
3 concerns raised. The department shall submit a report on fiscal year  
4 funds transferred in the prior fiscal year using this subsection as  
5 part of the department's annual budget submittal.

6 (4) The connecting Washington account—state appropriation  
7 includes up to \$1,834,563,000 in proceeds from the sale of bonds  
8 authorized in RCW 47.10.889.

9 (5) The special category C account—state appropriation includes  
10 up to \$102,323,000 in proceeds from the sale of bonds authorized in  
11 RCW 47.10.812.

12 (6) The transportation partnership account—state appropriation  
13 includes up to \$42,204,000 in proceeds from the sale of bonds  
14 authorized in RCW 47.10.873.

15 (7) \$60,450,000 of the transportation partnership account—state  
16 appropriation, \$2,258,000 of the motor vehicle account—private/local  
17 appropriation, and \$984,000 of the multimodal transportation account—  
18 state appropriation are for the SR 99/Alaskan Way Viaduct Replacement  
19 project (809936Z). It is the intent of the legislature that the  
20 \$25,000,000 increase in funding provided in the 2021-2023 fiscal  
21 biennium be covered by any legal damages paid to the state as a  
22 result of a lawsuit related to contractual provisions for  
23 construction and delivery of the Alaskan Way viaduct replacement  
24 project. The legislature intends that the \$25,000,000 of the  
25 transportation partnership account—state funds be repaid when those  
26 damages are recovered.

27 (8) \$205,656,000 of the connecting Washington account—state  
28 appropriation is for the US 395 North Spokane Corridor project  
29 (M00800R).

30 (9) \$14,827,000 of the Interstate 405 and state route number 167  
31 express toll lanes account—state appropriation is for the I-405/SR  
32 522 to I-5 Capacity Improvements project (L2000234) for activities  
33 related to adding capacity on Interstate 405 between state route  
34 number 522 and Interstate 5, with the goals of increasing vehicle  
35 throughput and aligning project completion with the implementation of  
36 bus rapid transit in the vicinity of the project.

37 (10)(a) \$492,349,000 of the connecting Washington account—state  
38 appropriation and \$355,000 of the motor vehicle account—private/local

1 appropriation are for the SR 520 Seattle Corridor Improvements - West  
2 End project (M00400R).

3 (b) Upon completion of the Montlake Phase of the West End project  
4 (current anticipated contract completion of 2023), WSDOT shall sell  
5 that portion of the property not used for permanent transportation  
6 improvements and initiate a process to convey that surplus property  
7 to a subsequent owner.

8 (11) \$435,783,000 of the connecting Washington account—state  
9 appropriation, \$82,165,000 of the motor vehicle account—federal  
10 appropriation, \$13,500,000 of the motor vehicle account—private/local  
11 appropriation, and \$2,500,000 of the motor vehicle account—state  
12 appropriation are for the SR 167/SR 509 Puget Sound Gateway project  
13 (M00600R).

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

16 (b) In making budget allocations to the Puget Sound Gateway  
17 project, the department shall continue to collaborate with the  
18 affected stakeholders as it implements the corridor construction and  
19 implementation plan for state route number 167 and state route number  
20 509.

21 (c) The department shall explore the development of a multiuse  
22 trail for bicyclists, pedestrians, skateboarders, and similar users  
23 along the SR 167 right-of-way acquired for the project to connect a  
24 network of new and existing trails from Mount Rainier to Point  
25 Defiance Park.

26 (12) The department shall itemize all future requests for the  
27 construction of buildings on a project list and submit them through  
28 the transportation executive information system as part of the  
29 department's annual budget submittal.

30 (13) \$22,142,000 of the motor vehicle account—state appropriation  
31 and \$7,883,000 of the motor vehicle account—private/local  
32 appropriation are to support a project office and the continued work  
33 towards replacement of the Interstate 5 bridge across the Columbia  
34 river (G2000088).

35 (14) (a) \$672,500,000 of the connecting Washington account—state  
36 appropriation, \$52,036,000 of the motor vehicle account—federal  
37 appropriation, and \$1,849,000 of the motor vehicle account—state  
38 appropriation are provided solely for the Fish Passage Barrier

1 project (OBI4001) with the intent of fully complying with the court  
2 injunction by 2030.

3 (b) The Washington state department of transportation is directed  
4 to pursue compliance with the *U.S. v. Washington* permanent injunction  
5 by delivering culvert corrections within the injunction area guided  
6 by the principle of providing the greatest fisheries habitat gain at  
7 the earliest time and considering the following factors: Opportunity  
8 to bundle projects, tribal priorities, ability to leverage  
9 investments by others, presence of other barriers, project readiness,  
10 culvert condition, other transportation projects in the area, and  
11 transportation impacts.

12 (15) \$7,874,000 of the connecting Washington account—state  
13 appropriation is for the I-90/Barker to Harvard - Improve  
14 Interchanges & Local Roads project (L2000122). The connecting  
15 Washington account appropriation for the improvements that fall  
16 within the city of Liberty Lake may only be expended if the city of  
17 Liberty Lake agrees to cover any project costs within the city of  
18 Liberty Lake above the \$20,900,000 of state appropriation provided  
19 for the total project in OFM Transportation Document 21GOV001 as  
20 developed December 17, 2020, Program - Highway Improvements (I).

21 (16) \$15,189,000 of the motor vehicle account—federal  
22 appropriation, \$259,000 of the motor vehicle account—state  
23 appropriation, and \$15,481,000 of the Interstate 405 and state route  
24 number 167 express toll lanes account—state appropriation are for the  
25 SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

26 (17) \$18,054,000 of the Special Category C account—state  
27 appropriation is for the SR 18 Widening - Issaquah/Hobart Rd to  
28 Raging River project (L1000199) for improving and widening state  
29 route number 18 to four lanes from Issaquah-Hobart Road to Raging  
30 River.

31 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**  
32 **PRESERVATION—PROGRAM P**

33	Recreational Vehicle Account—State Appropriation . . . . .	\$1,520,000
34	Transportation Partnership Account—State	
35	Appropriation . . . . .	\$16,394,000
36	Motor Vehicle Account—State Appropriation . . . . .	\$85,444,000
37	Motor Vehicle Account—Federal Appropriation . . . . .	\$476,447,000
38	Motor Vehicle Account—Private/Local	

1	Appropriation . . . . .	\$10,792,000
2	State Route Number 520 Corridor Account—State	
3	Appropriation . . . . .	\$1,891,000
4	Connecting Washington Account—State Appropriation . . .	\$419,095,000
5	Tacoma Narrows Toll Bridge Account—State	
6	Appropriation . . . . .	\$9,730,000
7	Alaskan Way Viaduct Replacement Project Account—State	
8	Appropriation. . . . .	\$314,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation. . . . .	\$26,039,000
11	Transportation 2003 Account (Nickel Account)—State	
12	Appropriation . . . . .	\$49,105,000
13	TOTAL APPROPRIATION. . . . .	\$1,096,771,000

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

16 (1) Except as provided otherwise in this section, the entire  
17 connecting Washington account—state appropriation and the entire  
18 transportation partnership account—state appropriation are for the  
19 projects and activities as listed by fund, project, and amount in OFM  
20 Transportation Document 21GOV001 as developed December 17, 2020,  
21 Program - Highway Preservation Program (P). Limited transfers of  
22 specific line-item project appropriations may occur between projects  
23 for those amounts listed subject to the conditions and limitations in  
24 section 601 of this act.

25 (2) Except as provided otherwise in this section, the entire  
26 motor vehicle account—state appropriation and motor vehicle account—  
27 federal appropriation are for the projects and activities listed in  
28 OFM Transportation Document 21GOV001 as developed December 17, 2020,  
29 Program - Highway Preservation Program (P). Any federal funds gained  
30 through efficiencies, adjustments to the federal funds forecast,  
31 additional congressional action not related to a specific project or  
32 purpose, or the federal funds redistribution process must then be  
33 applied to highway and bridge preservation activities or fish passage  
34 barrier corrections (0BI4001).

35 (3) Within the motor vehicle account—state appropriation, the  
36 motor vehicle account—federal appropriation, and the connecting  
37 Washington account—state appropriation the department may transfer  
38 funds between programs I and P, except for funds that are otherwise  
39 restricted in this act. 10 days prior to any transfer, the department



1 must submit its request to the office of financial management and the  
2 transportation committees of the legislature and consider any  
3 concerns raised. The department shall submit a report on fiscal year  
4 funds transferred in the prior fiscal year using this subsection as  
5 part of the department's annual budget submittal.

6 (4) \$5,166,000 of the connecting Washington account—state  
7 appropriation is for the land mobile radio upgrade (G2000055) and is  
8 subject to the conditions, limitations, and review provided in  
9 section 701 of this act. The land mobile radio project is subject to  
10 technical oversight by the office of the chief information officer.  
11 The department, in collaboration with the office of the chief  
12 information officer, shall identify where existing or proposed mobile  
13 radio technology investments should be consolidated, identify when  
14 existing or proposed mobile radio technology investments can be  
15 reused or leveraged to meet multiagency needs, increase mobile radio  
16 interoperability between agencies, and identify how redundant  
17 investments can be reduced over time. The department shall also  
18 provide quarterly reports to the technology services board on project  
19 progress.

20 (5) \$4,000,000 of the motor vehicle account—state appropriation  
21 is for extraordinary costs incurred from litigation awards,  
22 settlements, or dispute mitigation activities not eligible for  
23 funding from the self-insurance fund. The amount provided in this  
24 subsection must be held in unallotted status until the department  
25 submits a request to the office of financial management that includes  
26 documentation detailing litigation-related expenses. The office of  
27 financial management may release the funds only when it determines  
28 that all other funds designated for litigation awards, settlements,  
29 and dispute mitigation activities have been exhausted. No funds  
30 provided in this subsection may be expended on any legal fees related  
31 to the SR 99/Alaskan Way viaduct replacement project (809936Z).

32 (6) The appropriation in this section includes funding for  
33 starting planning, engineering, and construction of the Elwha River  
34 bridge replacement. To the greatest extent practicable, the  
35 department shall maintain public access on the existing route.

36 (7) The department must consult with the Washington state patrol  
37 and the office of financial management during the design phase of any  
38 improvement or preservation project that could impact Washington  
39 state patrol weigh station operations. During the design phase of any  
40 such project, the department must estimate the cost of designing

1 around the affected weigh station's current operations, as well as  
2 the cost of moving the affected weigh station.

3 (8) Within the connecting Washington account—state appropriation,  
4 the department may transfer funds from Highway System Preservation  
5 (L1100071) to other preservation projects listed in the OFM  
6 transportation document identified in subsection (1) of this section,  
7 if it is determined necessary for completion of these high priority  
8 preservation projects. The department's next budget submittal after  
9 using this subsection must appropriately reflect the transfer.

10 (9) The transportation 2003 account (nickel account)—state  
11 appropriation includes up to \$21,040,000 in proceeds from the sale of  
12 bonds authorized in RCW 47.10.861.

13 (10) The connecting Washington account—state appropriation  
14 includes up to \$379,246,000 in proceeds from the sale of bonds  
15 authorized in RCW 47.10.889.

16 (11)(a) \$11,679,000 of the motor vehicle account—federal  
17 appropriation is for accelerating preservation projects that ensure  
18 the reliable movement of freight on the national highway freight  
19 system. The department shall give priority to those projects that can  
20 be advertised by September 30, 2021.

21 (b) \$1,500,000 of the amount provided in this subsection is  
22 provided solely for the department to conduct a truck parking study.  
23 The report is due to the office of financial management and the  
24 appropriate committees of the legislature by December 1, 2021.

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

27	Motor Vehicle Account—State Appropriation . . . . .	\$7,694,000
28	Motor Vehicle Account—Federal Appropriation . . . . .	\$3,354,000
29	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$500,000
30	Multimodal Transportation Account—State Appropriation. . .	\$1,935,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation. . . . .	\$900,000
33	TOTAL APPROPRIATION. . . . .	\$14,383,000

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

36	Puget Sound Capital Construction Account—State	
37	Appropriation . . . . .	\$138,791,000

1	Puget Sound Capital Construction Account—Federal	
2	Appropriation . . . . .	\$119,704,000
3	Puget Sound Capital Construction Account—Private/Local	
4	Appropriation . . . . .	\$312,000
5	Transportation Partnership Account—State	
6	Appropriation . . . . .	\$8,410,000
7	Connecting Washington Account—State Appropriation . . . .	\$210,640,000
8	Capital Vessel Replacement Account—State	
9	Appropriation. . . . .	\$187,953,000
10	Multimodal Transportation Account—State Appropriation. . .	\$190,200,000
11	TOTAL APPROPRIATION. . . . .	\$856,010,000

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

14       (1) Except as provided otherwise in this section, the entire  
15 appropriations in this section are for the projects and activities as  
16 listed in OFM Transportation Document 21GOV001 as developed December  
17 17, 2020, Program - Washington State Ferries Capital Program (W).

18       (2) \$22,320,000 of the Puget Sound capital construction account—  
19 federal appropriation, \$71,293,000 of the connecting Washington  
20 account—state appropriation, and \$811,000 of the Puget Sound capital  
21 construction account—state appropriation are for the Seattle Terminal  
22 Replacement project (900010L).

23       (3) \$5,000,000 of the Puget Sound capital construction account—  
24 state appropriation is for emergency capital repair costs (999910K).  
25 Funds may only be spent after approval by the office of financial  
26 management.

27       (4) \$1,277,000 of the Puget Sound capital construction account—  
28 state appropriation is for the ORCA acceptance project (L2000300).  
29 The ferry system shall work with Washington technology solutions and  
30 the tolling division on the development of a new, interoperable  
31 ticketing system.

32       (5) \$24,750,000 of the Puget Sound capital construction account—  
33 state appropriation is for the conversion of up to two Jumbo Mark II  
34 vessels to electric hybrid propulsion. \$28,500,000 of the multimodal  
35 transportation account—state appropriation is for the conversion of  
36 the MV Tacoma state ferry to hybrid electric propulsion (G2000084).  
37 The department shall seek additional funds for the purposes of this  
38 subsection.

1 (6) \$187,953,000 of the capital vessel replacement account—state  
 2 appropriation is for the acquisition of a 144-car hybrid-electric  
 3 vessel (L2000329). \$93,700,000 of the multimodal transportation  
 4 account—state appropriation is for the acquisition of a second 144-  
 5 car hybrid-electric vessel (G2000098). The commencement of  
 6 construction of new vessels for the ferry system is important not  
 7 only for safety reasons, but also to keep skilled marine construction  
 8 jobs in the Puget Sound region and to sustain the capacity of the  
 9 region to meet the ongoing construction and preservation needs of the  
 10 ferry system fleet of vessels. The legislature has determined that  
 11 the current vessel procurement process must move forward with all due  
 12 speed, balancing the interests of both the taxpayers and shipyards.  
 13 To accomplish construction of vessels in accordance with RCW  
 14 47.60.810, the prevailing shipbuilder, for vessels initially funded  
 15 after July 1, 2020, is encouraged to follow the historical practice  
 16 of subcontracting the construction of ferry superstructures to a  
 17 separate nonaffiliated contractor located within the Puget Sound  
 18 region, that is qualified in accordance with RCW 47.60.690.

19 (7) The connecting Washington account—state appropriation  
 20 includes up to \$101,000,000 in proceeds from the sale of bonds  
 21 authorized in RCW 47.10.889.

22 (8) \$50,000,000 of the multimodal transportation account—state  
 23 appropriation is for the acquisition, engineering, and installation  
 24 of electric charging equipment to support state hybrid electric  
 25 ferries at Seattle, Bainbridge, and either Mukilteo or Clinton  
 26 terminals (G2000096).

27 (9) \$18,000,000 of the multimodal transportation account—state  
 28 appropriation is for the purchase of equipment and materials to  
 29 contribute to the construction of a third hybrid Olympic class vessel  
 30 (G2000097).

31 (10) The capital vessel replacement account—state appropriation  
 32 includes up to \$150,030,000 in proceeds from the sale of bonds  
 33 authorized in RCW 47.10.873.

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

36	Essential Rail Assistance Account—State Appropriation . . .	\$550,000
37	Transportation Infrastructure Account—State	
38	Appropriation . . . . .	\$5,456,000

1	Multimodal Transportation Account—State	
2	Appropriation . . . . .	\$72,867,000
3	Multimodal Transportation Account—Federal	
4	Appropriation . . . . .	\$41,219,000
5	TOTAL APPROPRIATION. . . . .	\$120,092,000

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

8       (1) Except as provided otherwise in this section, the entire  
9 appropriations in this section are for the projects and activities as  
10 listed by project and amount in OFM Transportation Document 21GOV001  
11 as developed December 17, 2020, Program - Rail Program (Y).

12       (2) \$5,089,000 of the transportation infrastructure account—state  
13 appropriation is for new low-interest loans approved by the  
14 department through the freight rail investment bank (FRIB) program.  
15 The department shall issue FRIB program loans with a repayment period  
16 of no more than 10 years, and charge only so much interest as is  
17 necessary to recoup the department's costs to administer the loans.  
18 The department shall report annually to the transportation committees  
19 of the legislature and the office of financial management on all FRIB  
20 loans issued.

21       (3) \$7,040,000 of the multimodal transportation account—state  
22 appropriation is for new statewide emergent freight rail assistance  
23 projects identified in the OFM transportation document referenced in  
24 subsection (1) of this section.

25       (4) \$367,000 of the transportation infrastructure account—state  
26 appropriation and \$1,100,000 of the multimodal transportation account  
27 —state appropriation are to reimburse Highline Grain, LLC for  
28 approved work completed on Palouse River and Coulee City (PCC)  
29 railroad track in Spokane county between the BNSF Railway Interchange  
30 at Cheney and Geiger Junction and must be administered in a manner  
31 consistent with freight rail assistance program projects. The value  
32 of the public benefit of this project is expected to meet or exceed  
33 the cost of this project in: Shipper savings on transportation costs;  
34 jobs saved in rail-dependent industries; and/or reduced future costs  
35 to repair wear and tear on state and local highways due to fewer  
36 annual truck trips (reduced vehicle miles traveled). The amounts  
37 provided in this subsection are not a commitment for future  
38 legislatures, but it is the legislature's intent that future

1 legislatures will work to approve biennial appropriations until the  
2 full \$7,337,000 cost of this project is reimbursed.

3 (5) (a) \$550,000 of the essential rail assistance account—state  
4 appropriation is for the purpose of the rehabilitation and  
5 maintenance of the Palouse river and Coulee City railroad line  
6 (F01111B).

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

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

12 (ii) Revenues from trackage rights agreement fees paid by  
13 shippers; and

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

18 (6) The department shall issue a call for projects for the  
19 freight rail assistance program, and shall evaluate the applications  
20 in a manner consistent with past practices as specified in section  
21 309, chapter 367, Laws of 2011. By November 15, 2022, the department  
22 shall submit a prioritized list of recommended projects to the office  
23 of financial management and the transportation committees of the  
24 legislature.

25 (7) \$12,077,000 of the multimodal transportation account—state  
26 appropriation is for expenditure authority for any insurance proceeds  
27 received by the state for Passenger Rail Equipment Replacement  
28 (project 700010C.) The department must use this expenditure authority  
29 only to purchase replacement equipment that has been competitively  
30 procured and for service recovery needs and corrective actions  
31 related to the December 2017 derailment.

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

34 Highway Infrastructure Account—State Appropriation . . . . .	\$793,000
35 Highway Infrastructure Account—Federal Appropriation . . . . .	\$1,600,000
36 Transportation Partnership Account—State	
37 Appropriation . . . . .	\$750,000
38 Motor Vehicle Account—State Appropriation . . . . .	\$13,134,000

1	Motor Vehicle Account—Federal Appropriation . . . . .	\$76,598,000
2	Motor Vehicle Account—Private/Local Appropriation . . . . .	\$6,600,000
3	Connecting Washington Account—State Appropriation . . . . .	\$100,708,000
4	Multimodal Transportation Account—State	
5	Appropriation . . . . .	\$68,983,000
6	TOTAL APPROPRIATION. . . . .	\$269,166,000

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

9       (1) Except as provided otherwise in this section, the entire  
10 appropriations in this section are for the projects and activities as  
11 listed by project and amount in OFM Transportation Document 21GOV001  
12 as developed December 17, 2020, Program - Local Programs Program (Z).

13       (2) The amounts identified in the OFM transportation document  
14 referenced under subsection (1) of this section for pedestrian  
15 safety/safe routes to schools are as follows:

16       (a) \$33,380,000 of the multimodal transportation account—state  
17 appropriation is for newly selected pedestrian and bicycle safety  
18 program projects. \$9,233,000 of the multimodal transportation account  
19 —state appropriation is reappropriated for pedestrian and bicycle  
20 safety program projects selected in the previous biennia (L2000188).

21       (b) \$11,400,000 of the motor vehicle account—federal  
22 appropriation and \$12,750,000 of the multimodal transportation  
23 account—state appropriation are provided solely for newly selected  
24 safe routes to school projects. \$7,944,000 of the motor vehicle  
25 account—federal appropriation and \$4,647,000 of the multimodal  
26 transportation account—state appropriation are reappropriated for  
27 safe routes to school projects selected in the previous biennia  
28 (L2000189). The department may consider the special situations facing  
29 high-need areas, as defined by schools or project areas in which the  
30 percentage of the children eligible to receive free and reduced-price  
31 meals under the national school lunch program is equal to, or greater  
32 than, the state average as determined by the department, when  
33 evaluating project proposals against established funding criteria  
34 while ensuring continued compliance with federal eligibility  
35 requirements.

36       (c) The Washington state department of transportation is directed  
37 to identify locations on state routes that align with local plans and  
38 priorities, contribute to connectivity of the active transportation  
39 network, and address safety, equity, and demand needs. Funds may be

1 used for improved pedestrian crossings, installation of bike  
2 facilities or shared-use paths, speed management measures, and other  
3 treatments intended to reduce serious injury and fatal collisions and  
4 improve mobility and accessibility, as identified through a statewide  
5 approach to planning for active transportation. These funds may be  
6 added to funds from other sources, including federal, state, local,  
7 and private sources, to enable application of a practical solutions  
8 approach that results in cost-effective and efficient projects and  
9 programmed activities. The Washington state department of  
10 transportation will provide a list of locations improved through this  
11 effort as part of the required Pedestrian and Bicyclist Program/Safe  
12 Routes to Schools reports.

13 (3) The department shall submit a report to the transportation  
14 committees of the legislature by December 1, 2021, and December 1,  
15 2022, on the status of projects funded as part of the pedestrian  
16 safety/safe routes to school grant program. The report must include,  
17 but is not limited to, a list of projects selected and a brief  
18 description of each project's status.

19 (4) \$5,030,000 of the multimodal transportation account—state  
20 appropriation is for bicycle and pedestrian projects listed in the  
21 OFM transportation document referenced in subsection (1) of this  
22 section.

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

26 (6) \$45,400,000 of the motor vehicle account—federal  
27 appropriation is for national highway freight network projects  
28 identified on the project list submitted in accordance with section  
29 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016 (L1000169).

30 (7) The department shall convene a Washington freight advisory  
31 committee, and in doing so, shall follow the recommendations from the  
32 freight stakeholder group contained in the report submitted to the  
33 governor and the transportation committees of the legislature on  
34 December 1, 2020. In following those recommendations, when the  
35 department updates its federally-compliant freight plan, it shall  
36 consult the Washington freight advisory committee on the freight plan  
37 update and on the investment plan component that describes how the  
38 estimated funding allocation for the national highway freight program  
39 for federal fiscal years 2021-2025 will be invested and matched. The  
40 department shall complete the freight plan update in compliance with



1 federal requirements and deadlines and shall provide a prioritized  
2 freight project list when submitting its 2022 supplemental budget  
3 request.

4 (8) \$11,679,000 of the motor vehicle account—federal  
5 appropriation is for acceleration of local preservation projects that  
6 ensure the reliable movement of freight on the national highway  
7 freight system (G2000100). The department will identify projects  
8 through its current national highway system asset management call for  
9 projects with applications due in February 2021. The department shall  
10 give priority to those projects that can be obligated by September  
11 30, 2021.

12 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR**  
13 **CAPITAL PROGRAM**

14 (1) As part of its annual budget submittal, the department of  
15 transportation shall provide an update to the report provided to the  
16 legislature in the prior fiscal year that: (a) Compares the original  
17 project cost estimates approved in the 2003, 2005, and 2015 revenue  
18 package project lists to the completed cost of the project, or the  
19 most recent legislatively approved budget and total project costs for  
20 projects not yet completed; (b) identifies highway projects that may  
21 be reduced in scope and still achieve a functional benefit; (c)  
22 identifies highway projects that have experienced scope increases and  
23 that can be reduced in scope; (d) identifies highway projects that  
24 have lost significant local or regional contributions that were  
25 essential to completing the project; and (e) identifies contingency  
26 amounts allocated to projects.

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

32 NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**  
33 **CAPITAL PROGRAM**

34 On a quarterly basis, the department of transportation shall  
35 provide to the office of financial management and the legislative  
36 transportation committees the following reports for all capital  
37 programs:

38 (1) For active projects, the report must include:

1 (a) A TEIS version containing actual capital expenditures for all  
2 projects consistent with the structure of the most recently enacted  
3 budget;

4 (b) Anticipated cost savings, cost increases, reappropriations,  
5 and schedule adjustments for all projects consistent with the  
6 structure of the most recently enacted budget;

7 (c) The award amount, the engineer's estimate, and the number of  
8 bidders for all active projects consistent with the structure of the  
9 most recently enacted budget;

10 (d) Projected costs and schedule for individual projects that are  
11 funded at a programmatic level for projects relating to bridge rail,  
12 guard rail, fish passage barrier removal, roadside safety projects,  
13 and seismic bridges. Projects within this programmatic level funding  
14 must be completed on a priority basis and scoped to be completed  
15 within the current programmatic budget;

16 (e) Highway projects that may be reduced in scope and still  
17 achieve a functional benefit;

18 (f) Highway projects that have experienced scope increases and  
19 that can be reduced in scope;

20 (g) Highway projects that have lost significant local or regional  
21 contributions that were essential to completing the project; and

22 (h) Contingency amounts for all projects consistent with the  
23 structure of the most recently enacted budget.

24 (2) For completed projects, the report must:

25 (a) Compare the costs and operationally complete date for  
26 projects with budgets of \$20,000,000 or more that are funded with  
27 preexisting funds to the original project cost estimates and  
28 schedule; and

29 (b) Provide a list of nickel, TPA, and connecting Washington  
30 projects charging to the nickel/TPA/CWA environmental mitigation  
31 reserve (OBI4ENV) and the amount each project is charging.

32 (3) For prospective projects, the report must:

33 (a) Identify the estimated advertisement date for all projects  
34 consistent with the structure of the most recently enacted  
35 transportation budget that are going to advertisement during the  
36 current fiscal biennium;

37 (b) Identify the anticipated operationally complete date for all  
38 projects consistent with the structure of the most recently enacted  
39 transportation budget that are going to advertisement during the  
40 current fiscal biennium; and

1 (c) Identify the estimated cost of completion for all projects  
2 consistent with the structure of the most recently enacted  
3 transportation budget that are going to advertisement during the  
4 current fiscal biennium.

5 NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**  
6 **PROJECT EXPENDITURES**

7 To the greatest extent practicable, the department of  
8 transportation shall expend federal funds received for capital  
9 project expenditures before state funds.

10 **TRANSFERS AND DISTRIBUTIONS**

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

15	Special Category C Account—State Appropriation. . . . .	\$512,000
16	Transportation Partnership Account—State Appropriation. . .	\$961,000
17	Connecting Washington Account—State Appropriation. . . .	\$11,576,000
18	Highway Bond Retirement Account—State	
19	Appropriation. . . . .	\$1,857,503,000
20	Ferry Bond Retirement Account—State Appropriation. . . .	\$17,150,000
21	Transportation Improvement Board Bond Retirement	
22	Account—State Appropriation. . . . .	\$11,770,000
23	Nondebt-Limit Reimbursable Bond Retirement	
24	Account—State Appropriation. . . . .	\$32,786,000
25	Toll Facility Bond Retirement Account—State	
26	Appropriation. . . . .	\$76,376,000
27	Transportation 2003 Account (Nickel Account)—State	
28	Appropriation. . . . .	\$105,000
29	TOTAL APPROPRIATION. . . . .	\$2,008,739,000

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

33	Transportation Partnership Account—State	
34	Appropriation. . . . .	\$192,000

1 Connecting Washington Account—State Appropriation. . . . \$2,315,000  
 2 Special Category C Account—State Appropriation. . . . \$102,000  
 3 Transportation 2003 Account (Nickel Account)—State  
 4 Appropriation. . . . \$21,000  
 5 TOTAL APPROPRIATION. . . . \$2,630,000

6 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES**  
 7 **FOR DISTRIBUTION**

8 Motor Vehicle Account—State Appropriation:  
 9 For motor vehicle fuel tax distributions to  
 10 cities and counties. . . . \$501,823,000

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

12 Motor Vehicle Account—State Appropriation:  
 13 For motor vehicle fuel tax refunds and  
 14 statutory transfers. . . . \$2,138,596,000

15 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**  
 16 **TRANSFERS**

17 Motor Vehicle Account—State Appropriation:  
 18 For motor vehicle fuel tax refunds and  
 19 transfers. . . . \$244,235,000

20 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**  
 21 **TRANSFERS**

22 (1) Transportation Partnership Account—State  
 23 Appropriation: For transfer to the Motor Vehicle  
 24 Account—State. . . . \$40,000,000

25 (2) Motor Vehicle Account—State Appropriation:  
 26 For transfer to the State Patrol Highway  
 27 Account—State. . . . \$7,000,000

28 (3) Motor Vehicle Account—State Appropriation:  
 29 For transfer to the Freight Mobility Investment  
 30 Account—State. . . . \$8,511,000

31 (4) Motor Vehicle Account—State Appropriation:  
 32 For transfer to the Rural Arterial Trust  
 33 Account—State. . . . \$4,844,000

34 (5) Motor Vehicle Account—State Appropriation:

1 For transfer to the Transportation Improvement  
 2 Account—State. . . . . \$9,688,000  
 3 (6) Motor Vehicle Account—State Appropriation:  
 4 For transfer to the Puget Sound Capital Construction  
 5 Account—State. . . . . \$70,000,000  
 6 (7) Rural Mobility Grant Program Account—State  
 7 Appropriation: For transfer to the Multimodal  
 8 Transportation Account—State. . . . . \$3,000,000  
 9 (8) State Route Number 520 Civil Penalties  
 10 Account—State Appropriation: For transfer to  
 11 the State Route Number 520 Corridor  
 12 Account—State. . . . . \$1,532,000  
 13 (9) Capital Vessel Replacement Account—State  
 14 Appropriation: For transfer to the Connecting  
 15 Washington Account—State. . . . . \$17,000,000  
 16 (10) Multimodal Transportation Account—State  
 17 Appropriation: For transfer to the Regional  
 18 Mobility Grant Program Account—State. . . . . \$27,679,000  
 19 (11) Multimodal Transportation Account—State  
 20 Appropriation: For transfer to the Rural  
 21 Mobility Grant Program Account—State. . . . . \$15,223,000  
 22 (12)(a) Alaskan Way Viaduct Replacement Project  
 23 Account—State Appropriation: For transfer to the  
 24 Motor Vehicle Account—State. . . . . \$4,000,000  
 25 (b) The transfer identified in this subsection is provided solely  
 26 to repay in part the motor vehicle account—state appropriation loan  
 27 from section 1005(21), chapter 416, Laws of 2019.  
 28 (13) Motor Vehicle Account—State Appropriation:  
 29 For transfer to the County Arterial Preservation  
 30 Account—State. . . . . \$4,844,000  
 31 (14) General Fund Account—State Appropriation:  
 32 For transfer to the State Patrol Highway  
 33 Account—State. . . . . \$625,000  
 34 (15) Capital Vessel Replacement Account—State  
 35 Appropriation: For transfer to the Transportation  
 36 Partnership Account—State. . . . . \$18,333,000  
 37 (16)(a) Alaskan Way Viaduct Replacement Project  
 38 Account—State Appropriation: For transfer to the

1 Transportation Partnership Account—State. . . . . \$24,987,000

2 (b) The amount transferred in this subsection represents

3 repayment of debt service incurred for the construction of the SR 99/  
4 Alaskan Way Viaduct Replacement project (809936Z).

5 (17) Tacoma Narrows Toll Bridge Account—State

6 Appropriation: For transfer to the Motor

7 Vehicle Account—State. . . . . \$950,000

8 (18) (a) Transportation 2003 Account (Nickel Account)

9 —State Appropriation: For transfer to the Tacoma

10 Narrows Toll Bridge Account—State. . . . . \$25,000,000

11 (b) It is the intent of the legislature that this transfer is

12 temporary, for the purpose of minimizing the impact of toll

13 increases, and an equivalent reimbursing transfer is to occur after

14 the debt service and deferred sales tax on the Tacoma Narrows bridge

15 construction costs are fully repaid in accordance with chapter 195,  
16 Laws of 2018.

17 (19) Multimodal Transportation Account—State

18 Appropriation: For transfer to the Pilotage

19 Account—State. . . . . \$2,500,000

20 (20) Motor Vehicle Account—State

21 Appropriation: For transfer to the County Road

22 Administration Board Emergency Loan Account—State. . . . . \$5,000,000

23 (21) Multimodal Transportation Account—State

24 Appropriation: For transfer to the Electric Vehicle

25 Charging Infrastructure Account—State. . . . . \$1,500,000

26 (22) Multimodal Transportation Account—State

27 Appropriation: For transfer to the Complete Streets

28 Grant Program Account—State. . . . . \$14,670,000

29 (23) (a) Transportation Partnership

30 Account—State Appropriation: For transfer to the Capital Vessel

31 Replacement Account—State. . . . . \$150,030,000

32 (b) The amount transferred in this subsection represents proceeds

33 from the sale of bonds authorized in RCW 47.10.873.

34 (24) Connecting Washington Account—State

35 Appropriation: For transfer to the Motor Vehicle

36 Account—State. . . . . \$100,000,000

37 (25) Multimodal Transportation Account—State

38 Appropriation: For transfer to the Puget Sound

39 Ferry Operations Account—State. . . . . \$30,000,000

1 (26) Multimodal Transportation Account—State  
 2 Appropriation: For transfer to the Puget Sound  
 3 Capital Construction Account—State. . . . . \$50,000,000  
 4 (27) Multimodal Transportation Account—State  
 5 Appropriation: For transfer to the Freight  
 6 Mobility Multimodal Account—State. . . . . \$8,511,000  
 7 (28) Highway Safety Account—State Appropriation:  
 8 For transfer to the State Patrol Highway Account—State. . \$47,000,000

9 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—STATE REVENUES**  
 10 **FOR DISTRIBUTION**

11 Multimodal Transportation Account—State  
 12 Appropriation: For distribution to cities and  
 13 counties. . . . . \$26,786,000  
 14 Motor Vehicle Account—State Appropriation: For  
 15 distribution to cities and counties. . . . . \$23,438,000  
 16 TOTAL APPROPRIATION. . . . . \$50,224,000

17 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER—BOND RETIREMENT**  
 18 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**  
 19 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

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

25 **COMPENSATION**

26 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**  
 27 **IMPAIRED**

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

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

33 Sections 503 through 520 of this act represent the results of the  
 34 2021-2023 collective bargaining process required under chapters

1 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining  
2 agreements contained in sections 503 through 520 of this act are  
3 described in general terms. Only major economic terms are included in  
4 the descriptions. These descriptions do not contain the complete  
5 contents of the agreements. The collective bargaining agreements  
6 contained in sections 503 through 520 of this act may also be funded  
7 by expenditures from nonappropriated accounts. If positions are  
8 funded with lidded grants or dedicated fund sources with insufficient  
9 revenue, additional funding from other sources is not provided.

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

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

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

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

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

32 An agreement has been reached between the governor and the  
33 service employees international union local 6 pursuant to chapter  
34 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to  
35 fund the agreement, which does not include wage increases but does  
36 include furloughs. The agreement provides that positions designated



1 by the employer as not requiring backfill take 24 furlough days  
2 during the biennium.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24        NEW SECTION.        **Sec. 513.        DEPARTMENT OF TRANSPORTATION MARINE**  
25 **DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER**  
26 **SUPERVISORS**

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

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

1 An agreement has been reached between the governor and the  
2 inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW  
3 through an interest arbitration award for the 2021-2023 fiscal  
4 biennium. Funding is provided to fund the agreement, which does not  
5 include either wage increases or the furlough requirement.

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

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

13 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE**  
14 **LOCAL 17**

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

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

22 An agreement has not been reached between the governor and the  
23 Washington public employees association under the provisions of  
24 chapter 41.80 RCW for the 2021-2023 fiscal biennium. Pursuant to RCW  
25 41.80.010(6), funding is provided for fiscal year 2022 to fund the  
26 terms of the 2019-2021 agreement and for fiscal year 2023 to fund the  
27 terms according to law.

28 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—**  
29 **COALITION OF UNIONS**

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

1 percent wage increase for fiscal year 2022 and a 2.5 percent wage  
2 increase for fiscal year 2023 for the department of corrections  
3 marine vessel operators.

4 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP**  
5 **TROOPERS ASSOCIATION**

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

13 NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP**  
14 **LIEUTENANTS AND CAPTAINS ASSOCIATION**

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

22 NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—**  
23 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

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

31 The monthly employer funding rate for insurance benefit premiums,  
32 public employees' benefits board administration, and the uniform  
33 medical plan, shall not exceed \$988 per eligible employee for fiscal  
34 year 2022. For fiscal year 2023, the monthly employer funding rate  
35 shall not exceed \$1018 per eligible employee.

1 The board shall collect a \$25 per month surcharge payment from  
2 members who use tobacco products and a surcharge payment of not less  
3 than \$50 per month from members who cover a spouse or domestic  
4 partner where the spouse or domestic partner has chosen not to enroll  
5 in another employer-based group health insurance that has benefits  
6 and premiums with an actuarial value of not less than 95 percent of  
7 the actuarial value of the public employees' benefits board plan with  
8 the largest enrollment. The surcharge payments shall be collected in  
9 addition to the member premium payment if directed by the  
10 legislature.

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

13 Appropriations for state agencies in this act are sufficient for  
14 represented employees outside the coalition for health benefits, and  
15 are subject to the following conditions and limitations: The monthly  
16 employer funding rate for insurance benefit premiums, public  
17 employees' benefits board administration, and the uniform medical  
18 plan, may not exceed \$988 per eligible employee for fiscal year  
19 2022. For fiscal year 2023, the monthly employer funding rate may  
20 not exceed \$1018 per eligible employee.

21 NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—**  
22 **INSURANCE BENEFITS**

23 Appropriations for state agencies in this act are sufficient for  
24 nonrepresented state employee health benefits for state agencies,  
25 including institutions of higher education, and are subject to the  
26 following conditions and limitations: The employer monthly funding  
27 rate for insurance benefit premiums, public employees' benefits board  
28 administration, and the uniform medical plan, shall not exceed \$988  
29 per eligible employee for fiscal year 2022. For fiscal year 2023, the  
30 monthly employer funding rate shall not exceed \$1018 per eligible  
31 employee.

32 NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION**  
33 **RATES**

34 The appropriations in this act for school districts and state  
35 agencies, including institutions of higher education, are subject to  
36 the following conditions and limitations: Appropriations are adjusted

1 to reflect changes to agency appropriations to reflect pension  
2 contribution rates adopted by the pension funding council and the law  
3 enforcement officers' and firefighters' retirement system plan 2  
4 board.

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

6 Funding is provided within the amounts appropriated for the cost  
7 to agencies of additional staff necessary to provide coverage in  
8 positions that require continual presence, as a result of  
9 implementing chapter . . . (House Bill No. 1016), Laws of 2021  
10 (making Juneteenth a legal holiday). If chapter . . . (House Bill No.  
11 1016), Laws of 2021 is not enacted by June 30, 2021, this section  
12 does not take effect.

13 **IMPLEMENTING PROVISIONS**

14 NEW SECTION. **Sec. 601. FUND TRANSFERS**

15 (1) The 2005 transportation partnership projects or improvements  
16 and 2015 connecting Washington projects or improvements are listed in  
17 the OFM Transportation Document 21GOV001 as developed December 17,  
18 2020, which consists of a list of specific projects by fund source  
19 and amount over a 16-year period. Current fiscal biennium funding for  
20 each project is a line-item appropriation, while the outer year  
21 funding allocations represent a 16-year plan. The department of  
22 transportation is expected to use the flexibility provided in this  
23 section to assist in the delivery and completion of all  
24 transportation partnership account and connecting Washington account  
25 projects on the OFM transportation document referenced in this  
26 subsection. For the 2021-2023 project appropriations, unless  
27 otherwise provided in this act, the director of the office of  
28 financial management may provide written authorization for a transfer  
29 of appropriation authority between projects funded with  
30 transportation partnership account appropriations or connecting  
31 Washington account appropriations to manage project spending and  
32 efficiently deliver all projects in the respective program under the  
33 following conditions and limitations:

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

1 (b) Transfers from a project may not be made as a result of the  
2 reduction of the scope of a project or be made to support increases  
3 in the scope of a project;

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

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

9 (e) Transfers may not be made while the legislature is in  
10 session;

11 (f) Transfers to a project may not be made with funds designated  
12 as attributable to practical design savings as described in RCW  
13 47.01.480;

14 (g) Each transfer between projects may only occur if the director  
15 of the office of financial management finds that any resulting change  
16 will not hinder the completion of the projects as approved by the  
17 legislature. Until the legislature reconvenes to consider the 2022  
18 supplemental omnibus transportation appropriations act, any  
19 unexpended 2019-2021 appropriation balance as approved by the office  
20 of financial management, in consultation with the chairs and ranking  
21 members of the house of representatives and senate transportation  
22 committees, may be considered when transferring funds between  
23 projects; and

24 (h) Transfers between projects may be made by the department of  
25 transportation without the formal written approval provided under  
26 this subsection (1), provided that the transfer amount does not  
27 exceed \$250,000 or 10 percent of the total project, whichever is  
28 less. These transfers must be reported quarterly to the director of  
29 the office of financial management and the chairs of the house of  
30 representatives and senate transportation committees.

31 (2) The department of transportation must submit quarterly all  
32 transfers authorized under this section in the transportation  
33 executive information system. The office of financial management must  
34 maintain a legislative baseline project list identified in the LEAP  
35 transportation documents referenced in this act, and update that  
36 project list with all authorized transfers under this section.

37 (3) At the time the department submits a request to transfer  
38 funds under this section, a copy of the request must be submitted to  
39 the chairs and ranking members of the transportation committees of  
40 the legislature.

1 (4) Before approval, the office of financial management shall  
2 work with legislative staff of the house of representatives and  
3 senate transportation committees to review the requested transfers in  
4 a timely manner and consider any concerns raised by the chairs and  
5 ranking members of the transportation committees.

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

11 (6) The department must submit annually as part of its budget  
12 submittal a report detailing all transfers made pursuant to this  
13 section.

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

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

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

31 The agencies and institutions of the state may expend moneys  
32 appropriated in this act, upon approval of the office of financial  
33 management, for the payment of supplies and services furnished to the  
34 agency or institution in prior fiscal biennia.

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



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

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

7 (b) Identifies, for each project, the amount of cost savings or  
8 increases in funding that have been identified as compared to the  
9 2019 enacted omnibus transportation appropriations act.

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

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

15 The department shall provide a web link for each change order  
16 that is more than \$500,000 on the affected project web page.

17 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**  
18 **ELEMENTS REPORTING**

19 (1) By November 15th of each year, the department of  
20 transportation must report on amounts expended to benefit transit,  
21 bicycle, or pedestrian elements within all connecting Washington  
22 projects in programs I, P, and Z identified in OFM Transportation  
23 Document 21GOV001 as developed December 17, 2020. The report must  
24 address each modal category separately and identify if eighteenth  
25 amendment protected funds have been used and, if not, the source of  
26 funding.

27 (2) To facilitate the report in subsection (1) of this section,  
28 the department of transportation must require that all bids on  
29 connecting Washington projects include an estimate on the cost to  
30 implement any transit, bicycle, or pedestrian project elements.

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

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

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

5 (3) Before approval, the office of financial management shall  
6 work with legislative staff of the house of representatives and  
7 senate transportation committees to review the requested project  
8 scope changes.

9 (4) No fewer than 10 days after the receipt of a scope change  
10 request, the director of the office of financial management must  
11 provide written notification to the department of any decision  
12 regarding project scope changes, with copies submitted to the  
13 transportation committees of the legislature.

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

18 NEW SECTION. **Sec. 608. FURLOUGHS**

19 Consistent with Z-0136.1/21 (wage freeze and furloughs), capital  
20 programs in the department of transportation must track and manage  
21 any savings resulting from furloughs and nonimplementation of wage  
22 increases. The department must report actual program and project  
23 savings for fiscal year 2022 to the office of financial management by  
24 September 1, 2022, and must report actual and projected program and  
25 project savings for fiscal year 2023 to the office of financial  
26 management by June 30, 2023. If Z-0136.1/21 (wage freeze and  
27 furloughs) is not enacted by June 30, 2021, this section does not  
28 take effect.

29 **MISCELLANEOUS 2021-2023 FISCAL BIENNIUM**

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

31 (1) Agencies must apply to the office of financial management and  
32 the office of the chief information officer for approval before  
33 beginning a project or proceeding with each discreet stage of a  
34 project subject to this section. At each stage, the office of the  
35 chief information officer must certify that the project has an  
36 approved technology budget and investment plan, complies with state  
37 information technology and security requirements, and other policies

1 defined by the office of the chief information officer. The office of  
2 financial management must notify the fiscal committees of the  
3 legislature of the receipt of each application and may not approve a  
4 funding request for 10 business days from the date of notification.

5 (2) (a) Each project must have a technology budget. The technology  
6 budget must use a method similar to the state capital budget,  
7 identifying project costs, each fund source, and anticipated  
8 deliverables through each stage of the entire project investment and  
9 across fiscal periods and biennia from project onset through  
10 implementation and close out.

11 (b) As part of the development of a technology budget and at each  
12 request for funding, the agency shall submit detailed financial  
13 information to the office of financial management and the office of  
14 the chief information officer. The technology budget must describe  
15 the total cost of the project to include and identify:

16 (i) Fund sources;

17 (ii) Full-time equivalent staffing level to include job  
18 classification assumptions;

19 (iii) Discreet financial budget codes;

20 (iv) Subobject codes of expenditures; and

21 (v) Anticipated deliverables.

22 (c) If a project technology budget changes and a revised  
23 technology budget is completed, a comparison of the revised  
24 technology budget to the last approved technology budget must be  
25 posted to the dashboard, to include a narrative rationale on what  
26 changed, why, and how that impacts the project in scope, budget, and  
27 schedule.

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

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

31 (ii) The office of the state chief information officer staff  
32 assigned to the project;

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

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

1 (v) Ongoing maintenance and operations cost of the project post  
2 implementation and close out delineated by agency staffing,  
3 contracted staffing, and service level agreements.

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

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

13 (i) Project changes each fiscal month;

14 (ii) Noting if the project has a completed market requirements  
15 document;

16 (iii) Financial status of information technology projects under  
17 oversight;

18 (iv) Coordination with agencies;

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

20 (vi) Monthly office of the chief information officer status  
21 reports;

22 (vii) Historical project budget and expenditures through fiscal  
23 year 2019;

24 (viii) Budget and expenditures each fiscal month; and

25 (ix) Estimated annual maintenance and operations costs by fiscal  
26 year.

27 (b) The dashboard must retain a roll up of the entire project  
28 cost, including all subprojects, that can display subproject detail.

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

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

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

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

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

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

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

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

12 (e) The agency must consult with the contracting division of the  
13 department of enterprise services for a review of all contracts and  
14 agreements related to the project's information technology  
15 procurements.

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

20 (9) The office of the chief information officer may suspend or  
21 terminate a project at any time if it determines that the project is  
22 not meeting or not expected to meet anticipated performance and  
23 technology outcomes. Once suspension or termination occurs, the  
24 agency shall unallot any unused funding and shall not make any  
25 expenditure for the project without the approval of the office of  
26 financial management. The office of the chief information officer  
27 must report on July 1st and December 1st each calendar year any  
28 suspension or termination of a project in the previous six month  
29 period to the legislative fiscal committees.

30 (10) The office of the chief information officer, in consultation  
31 with the office of financial management, may identify additional  
32 projects to be subject to this section, including projects that are  
33 not separately identified within an agency budget. The office of the  
34 chief information officer must report on July 1st and December 1st  
35 each calendar year any additional projects to be subjected to this  
36 section that were identified in the previous six month period to the  
37 legislative fiscal committees.

38 **Sec. 702.** RCW 43.19.642 and 2019 c 416 s 703 are each amended to  
39 read as follows:

1 (1) Effective June 1, 2006, for agencies complying with the  
2 ultra-low sulfur diesel mandate of the United States environmental  
3 protection agency for on-highway diesel fuel, agencies shall use  
4 biodiesel as an additive to ultra-low sulfur diesel for lubricity,  
5 provided that the use of a lubricity additive is warranted and that  
6 the use of biodiesel is comparable in performance and cost with other  
7 available lubricity additives. The amount of biodiesel added to the  
8 ultra-low sulfur diesel fuel shall be not less than two percent.

9 (2) Except as provided in subsection (5) of this section,  
10 effective June 1, 2009, state agencies are required to use a minimum  
11 of twenty percent biodiesel as compared to total volume of all diesel  
12 purchases made by the agencies for the operation of the agencies'  
13 diesel-powered vessels, vehicles, and construction equipment.

14 (3) All state agencies using biodiesel fuel shall, beginning on  
15 July 1, 2016, file annual reports with the department of enterprise  
16 services documenting the use of the fuel and a description of how any  
17 problems encountered were resolved.

18 (4) By December 1, 2009, the department of enterprise services  
19 shall:

20 (a) Report to the legislature on the average true price  
21 differential for biodiesel by blend and location; and

22 (b) Examine alternative fuel procurement methods that work to  
23 address potential market barriers for in-state biodiesel producers  
24 and report these findings to the legislature.

25 (5) During the (~~2017-2019 and~~) 2019-2021 and 2021-2023 fiscal  
26 biennia, the Washington state ferries is required to use a minimum of  
27 five percent biodiesel as compared to total volume of all diesel  
28 purchases made by the Washington state ferries for the operation of  
29 the Washington state ferries diesel-powered vessels, as long as the  
30 price of a B5 or B10 biodiesel blend does not exceed the price of  
31 conventional diesel fuel by five percent or more.

32 **Sec. 703.** RCW 46.20.745 and 2019 c 416 s 704 are each amended to  
33 read as follows:

34 (1) The ignition interlock device revolving account program is  
35 created within the department to assist in covering the monetary  
36 costs of installing, removing, and leasing an ignition interlock  
37 device, and applicable licensing, for indigent persons who are  
38 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an  
39 ignition interlock device in all vehicles owned or operated by the

1 person. For purposes of this subsection, "indigent" has the same  
2 meaning as in RCW 10.101.010, as determined by the department. During  
3 the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia, the ignition  
4 interlock device revolving account program also includes ignition  
5 interlock enforcement work conducted by the Washington state patrol.

6 (2) A pilot program is created within the ignition interlock  
7 device revolving account program for the purpose of monitoring  
8 compliance by persons required to use ignition interlock devices and  
9 by ignition interlock companies and vendors.

10 (3) The department, the state patrol, and the Washington traffic  
11 safety commission shall coordinate to establish a compliance pilot  
12 program that will target at least one county from eastern Washington  
13 and one county from western Washington, as determined by the  
14 department, state patrol, and Washington traffic safety commission.

15 (4) At a minimum, the compliance pilot program shall:

16 (a) Review the number of ignition interlock devices that are  
17 required to be installed in the targeted county and the number of  
18 ignition interlock devices actually installed;

19 (b) Work to identify those persons who are not complying with  
20 ignition interlock requirements or are repeatedly violating ignition  
21 interlock requirements; and

22 (c) Identify ways to track compliance and reduce noncompliance.

23 (5) As part of monitoring compliance, the Washington traffic  
24 safety commission shall also track recidivism for violations of RCW  
25 46.61.502 and 46.61.504 by persons required to have an ignition  
26 interlock driver's license under RCW 46.20.385 and 46.20.720.

27 **Sec. 704.** RCW 46.68.060 and 2019 c 416 s 705 are each amended to  
28 read as follows:

29 There is hereby created in the state treasury a fund to be known  
30 as the highway safety fund to the credit of which must be deposited  
31 all moneys directed by law to be deposited therein. This fund must be  
32 used for carrying out the provisions of law relating to driver  
33 licensing, driver improvement, financial responsibility, cost of  
34 furnishing abstracts of driving records and maintaining such case  
35 records, and to carry out the purposes set forth in RCW 43.59.010,  
36 and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017  
37 fiscal biennia, the legislature may transfer from the highway safety  
38 fund to the Puget Sound ferry operations account, the motor vehicle  
39 fund, and the multimodal transportation account such amounts as

1 reflect the excess fund balance of the highway safety fund. During  
2 the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may  
3 direct the state treasurer to make transfers of moneys in the highway  
4 safety fund to the multimodal transportation account. During the  
5 2021-2023 fiscal biennium, the legislature may direct the state  
6 treasurer to make transfers of moneys in the highway safety fund to  
7 the state patrol highway account.

8       **Sec. 705.** RCW 46.68.280 and 2019 c 416 s 706 are each amended to  
9 read as follows:

10       (1) The transportation 2003 account (nickel account) is hereby  
11 created in the motor vehicle fund. Money in the account may be spent  
12 only after appropriation. Expenditures from the account must be used  
13 only for projects or improvements identified as transportation 2003  
14 projects or improvements in the omnibus transportation budget and to  
15 pay the principal and interest on the bonds authorized for  
16 transportation 2003 projects or improvements. Upon completion of the  
17 projects or improvements identified as transportation 2003 projects  
18 or improvements, moneys deposited in this account must only be used  
19 to pay the principal and interest on the bonds authorized for  
20 transportation 2003 projects or improvements, and any funds in the  
21 account in excess of the amount necessary to make the principal and  
22 interest payments may be used for maintenance on the completed  
23 projects or improvements.

24       (2) During the 2015-2017 fiscal biennium, the legislature may  
25 transfer from the transportation 2003 account (nickel account) to the  
26 connecting Washington account such amounts as reflect the excess fund  
27 balance of the transportation 2003 account (nickel account).

28       (3) During the 2017-2019 and the 2019-2021 fiscal biennia, the  
29 legislature may direct the state treasurer to make transfers of  
30 moneys in the transportation 2003 account (nickel account) to the  
31 connecting Washington account, the Puget Sound capital construction  
32 account, and the Tacoma Narrows toll bridge account. During the  
33 2021-2023 fiscal biennium, the legislature may direct the state  
34 treasurer to make transfers of moneys in the transportation 2003  
35 account (nickel account) to the Tacoma Narrows toll bridge account.

36       (4) The "nickel account" means the transportation 2003 account.

37       **Sec. 706.** RCW 46.68.325 and 2019 c 416 s 708 are each amended to  
38 read as follows:



1 (1) The rural mobility grant program account is created in the  
2 state treasury. Moneys in the account may be spent only after  
3 appropriation. Expenditures from the account may be used only for the  
4 grants provided under RCW 47.66.100.

5 (2) Beginning September 2011, by the last day of September,  
6 December, March, and June of each year, the state treasurer shall  
7 transfer from the multimodal transportation account to the rural  
8 mobility grant program account two million five hundred thousand  
9 dollars.

10 (3) During the 2015-2017 fiscal biennium, the legislature may  
11 transfer from the rural mobility grant program account to the  
12 multimodal transportation account such amounts as reflect the excess  
13 fund balance of the rural mobility grant program account.

14 (4) During the (~~2017-2019 and the~~) 2019-2021 and the 2021-2023  
15 fiscal biennia, the legislature may direct the state treasurer to  
16 make transfers of moneys in the rural mobility grant program account  
17 to the multimodal transportation account.

18 **Sec. 707.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to  
19 read as follows:

20 A special account to be known as the state route number 520 civil  
21 penalties account is created in the state treasury. All state route  
22 number 520 bridge replacement and HOV program civil penalties  
23 generated from the nonpayment of tolls on the state route number 520  
24 corridor must be deposited into the account, as provided under RCW  
25 47.56.870(4)(b)(vii). Moneys in the account may be spent only after  
26 appropriation. Expenditures from the account may be used to fund any  
27 project within the state route number 520 bridge replacement and HOV  
28 program, including mitigation. During the 2013-2015 and 2015-2017  
29 fiscal biennia, the legislature may transfer from the state route  
30 number 520 civil penalties account to the state route number 520  
31 corridor account such amounts as reflect the excess fund balance of  
32 the state route number 520 civil penalties account. Funds transferred  
33 must be used solely for capital expenditures for the state route  
34 number 520 bridge replacement and HOV project. During the (~~2017-2019~~  
35 ~~and the~~) 2019-2021 and the 2021-2023 fiscal biennia, the legislature  
36 may direct the state treasurer to make transfers of moneys in the  
37 state route number 520 civil penalties account to the state route  
38 number 520 corridor account.

1       **Sec. 708.** RCW 46.68.370 and 2019 c 416 s 713 are each amended to  
2 read as follows:

3       The license plate technology account is created in the state  
4 treasury. All receipts collected under RCW 46.17.015 must be  
5 deposited into this account. Expenditures from this account must  
6 support current and future license plate technology and systems  
7 integration upgrades for both the department and correctional  
8 industries. Moneys in the account may be spent only after  
9 appropriation. Additionally, the moneys in this account may be used  
10 to reimburse the motor vehicle (~~(account-[fund])~~) fund for any  
11 appropriation made to implement the digital license plate system.  
12 During the 2011-2013 and 2013-2015 fiscal biennia, the legislature  
13 may transfer from the license plate technology account to the highway  
14 safety (~~(account-[fund])~~) fund such amounts as reflect the excess  
15 fund balance of the license plate technology account. During the  
16 2019-2021 (~~(biennium)~~) and 2021-2023 biennia, the account may also be  
17 used for the maintenance of recently modernized information  
18 technology systems for vehicle registrations.

19       **Sec. 709.** RCW 46.68.300 and 2019 c 416 s 714 are each amended to  
20 read as follows:

21       The freight mobility investment account is hereby created in the  
22 state treasury. Money in the account may be spent only after  
23 appropriation. Expenditures from the account may be used only for  
24 freight mobility projects that have been approved by the freight  
25 mobility strategic investment board in RCW 47.06A.020 and may include  
26 any principal and interest on bonds authorized for the projects or  
27 improvements. During the 2019-2021 and the 2021-2023 fiscal  
28 (~~(biennium)~~) biennia, the expenditures from the account may also be  
29 used for the administrative expenses of the freight mobility  
30 strategic investment board.

31       **Sec. 710.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to  
32 read as follows:

33       (1) The capital vessel replacement account is created in the  
34 motor vehicle fund. All revenues generated from the vessel  
35 replacement surcharge under RCW 47.60.315(7) and service fees  
36 collected by the department of licensing or county auditor or other  
37 agent appointed by the director under RCW 46.17.040, 46.17.050, and  
38 46.17.060 must be deposited into the account. Moneys in the account

1 may be spent only after appropriation. Expenditures from the account  
2 may be used only for the construction or purchase of ferry vessels  
3 and to pay the principal and interest on bonds authorized for the  
4 construction or purchase of ferry vessels. However, expenditures from  
5 the account must first be used to support the construction or  
6 purchase, including any applicable financing costs, of a ferry vessel  
7 with a carrying capacity of at least one hundred forty-four cars.

8 (2) The state treasurer may transfer moneys from the capital  
9 vessel replacement account to the transportation 2003 account (nickel  
10 account) for debt service on bonds issued for the construction of  
11 144-car class ferry vessels.

12 (3) The legislature may transfer from the capital vessel  
13 replacement account to the connecting Washington account created  
14 under RCW 46.68.395 such amounts as reflect the excess fund balance  
15 of the capital vessel replacement account to be used for ferry  
16 terminal construction and preservation.

17 (4) During the 2019-2021 and the 2021-2023 fiscal (~~biennium~~)  
18 biennia, the legislature may direct the state treasurer to make  
19 transfers of moneys in the capital vessel replacement account to the  
20 transportation partnership account. During the 2021-2023 fiscal  
21 biennium, the legislature may direct the state treasurer to make  
22 transfers of moneys in the capital vessel replacement account to the  
23 connecting Washington account.

24 **Sec. 711.** RCW 47.66.120 and 2019 c 287 s 18 are each amended to  
25 read as follows:

26 (1)(a) Subject to the availability of amounts appropriated for  
27 this specific purpose through the 2023-2025 biennium, the  
28 department's public transportation division shall establish a green  
29 transportation capital grant program. The purpose of the grant  
30 program is to aid any transit authority in funding cost-effective  
31 capital projects to reduce the carbon intensity of the Washington  
32 transportation system, examples of which include: Electrification of  
33 vehicle fleets, including battery and fuel cell electric vehicles;  
34 modification or replacement of capital facilities in order to  
35 facilitate fleet electrification and/or hydrogen refueling; necessary  
36 upgrades to electrical transmission and distribution systems; and  
37 construction of charging and fueling stations. The department's  
38 public transportation division shall identify projects and shall

1 submit a prioritized list of all projects requesting funding to the  
2 legislature by December 1st of each even-numbered year.

3 (b) The department's public transportation division shall select  
4 projects based on a competitive process that considers the following  
5 criteria:

6 (i) The cost-effectiveness of the reductions in carbon emissions  
7 provided by the project; and

8 (ii) The benefit provided to transitioning the entire state to a  
9 transportation system with lower carbon intensity.

10 (2) The department's public transportation division must  
11 establish an advisory committee to assist in identifying projects  
12 under subsection (1) of this section. The advisory committee must  
13 include representatives from the department of ecology, the  
14 department of commerce, the utilities and transportation commission,  
15 and at least one transit authority.

16 (3) In order to receive green transportation capital grant  
17 program funding for a project, a transit authority must provide  
18 matching funding for that project that is at least equal to twenty  
19 percent of the total cost of the project.

20 (4) The department's public transportation division must report  
21 annually to the transportation committees of the legislature on the  
22 status of any grant projects funded by the program created under this  
23 section.

24 (5) For purposes of this section, "transit authority" means a  
25 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a  
26 county public transportation authority under chapter 36.57 RCW, a  
27 metropolitan municipal corporation transit system under chapter 36.56  
28 RCW, a public transportation benefit area under chapter 36.57A RCW,  
29 an unincorporated transportation benefit area under RCW 36.57.100, a  
30 regional transit authority under chapter 81.112 RCW, or any special  
31 purpose district formed to operate a public transportation system.

32 (6) During the 2021-2023 fiscal biennium, the department may  
33 provide green transportation capital grant program funding for zero  
34 emissions capital transition planning projects.

35 **Sec. 712.** RCW 46.68.290 and 2020 c 219 s 705 are each amended to  
36 read as follows:

37 (1) The transportation partnership account is hereby created in  
38 the state treasury. All distributions to the account from RCW  
39 46.68.090 must be deposited into the account. Money in the account

1 may be spent only after appropriation. Expenditures from the account  
2 must be used only for projects or improvements identified as 2005  
3 transportation partnership projects or improvements in the omnibus  
4 transportation appropriations act, including any principal and  
5 interest on bonds authorized for the projects or improvements.

6 (2) The legislature finds that:

7 (a) Citizens demand and deserve accountability of transportation-  
8 related programs and expenditures. Transportation-related programs  
9 must continuously improve in quality, efficiency, and effectiveness  
10 in order to increase public trust;

11 (b) Transportation-related agencies that receive tax dollars must  
12 continuously improve the way they operate and deliver services so  
13 citizens receive maximum value for their tax dollars; and

14 (c) Fair, independent, comprehensive performance audits of  
15 transportation-related agencies overseen by the elected state auditor  
16 are essential to improving the efficiency, economy, and effectiveness  
17 of the state's transportation system.

18 (3) For purposes of chapter 314, Laws of 2005:

19 (a) "Performance audit" means an objective and systematic  
20 assessment of a state agency or agencies or any of their programs,  
21 functions, or activities by the state auditor or designee in order to  
22 help improve agency efficiency, effectiveness, and accountability.  
23 Performance audits include economy and efficiency audits and program  
24 audits.

25 (b) "Transportation-related agency" means any state agency,  
26 board, or commission that receives funding primarily for  
27 transportation-related purposes. At a minimum, the department of  
28 transportation, the transportation improvement board or its successor  
29 entity, the county road administration board or its successor entity,  
30 and the traffic safety commission are considered transportation-  
31 related agencies. The Washington state patrol and the department of  
32 licensing shall not be considered transportation-related agencies  
33 under chapter 314, Laws of 2005.

34 (4) Within the authorities and duties under chapter 43.09 RCW,  
35 the state auditor shall establish criteria and protocols for  
36 performance audits. Transportation-related agencies shall be audited  
37 using criteria that include generally accepted government auditing  
38 standards as well as legislative mandates and performance objectives  
39 established by state agencies. Mandates include, but are not limited

1 to, agency strategies, timelines, program objectives, and mission and  
2 goals as required in RCW 43.88.090.

3 (5) Within the authorities and duties under chapter 43.09 RCW,  
4 the state auditor may conduct performance audits for transportation-  
5 related agencies. The state auditor shall contract with private firms  
6 to conduct the performance audits.

7 (6) The audits may include:

8 (a) Identification of programs and services that can be  
9 eliminated, reduced, consolidated, or enhanced;

10 (b) Identification of funding sources to the transportation-  
11 related agency, to programs, and to services that can be eliminated,  
12 reduced, consolidated, or enhanced;

13 (c) Analysis of gaps and overlaps in programs and services and  
14 recommendations for improving, dropping, blending, or separating  
15 functions to correct gaps or overlaps;

16 (d) Analysis and recommendations for pooling information  
17 technology systems used within the transportation-related agency, and  
18 evaluation of information processing and telecommunications policy,  
19 organization, and management;

20 (e) Analysis of the roles and functions of the transportation-  
21 related agency, its programs, and its services and their compliance  
22 with statutory authority and recommendations for eliminating or  
23 changing those roles and functions and ensuring compliance with  
24 statutory authority;

25 (f) Recommendations for eliminating or changing statutes, rules,  
26 and policy directives as may be necessary to ensure that the  
27 transportation-related agency carry out reasonably and properly those  
28 functions vested in the agency by statute;

29 (g) Verification of the reliability and validity of  
30 transportation-related agency performance data, self-assessments, and  
31 performance measurement systems as required under RCW 43.88.090;

32 (h) Identification of potential cost savings in the  
33 transportation-related agency, its programs, and its services;

34 (i) Identification and recognition of best practices;

35 (j) Evaluation of planning, budgeting, and program evaluation  
36 policies and practices;

37 (k) Evaluation of personnel systems operation and management;

38 (l) Evaluation of purchasing operations and management policies  
39 and practices;

1 (m) Evaluation of organizational structure and staffing levels,  
2 particularly in terms of the ratio of managers and supervisors to  
3 nonmanagement personnel; and

4 (n) Evaluation of transportation-related project costs, including  
5 but not limited to environmental mitigation, competitive bidding  
6 practices, permitting processes, and capital project management.

7 (7) Within the authorities and duties under chapter 43.09 RCW,  
8 the state auditor must provide the preliminary performance audit  
9 reports to the audited state agency for comment. The auditor also may  
10 seek input on the preliminary report from other appropriate  
11 officials. Comments must be received within thirty days after receipt  
12 of the preliminary performance audit report unless a different time  
13 period is approved by the state auditor. The final performance audit  
14 report shall include the objectives, scope, and methodology; the  
15 audit results, including findings and recommendations; the agency's  
16 response and conclusions; and identification of best practices.

17 (8) The state auditor shall provide final performance audit  
18 reports to the citizens of Washington, the governor, the joint  
19 legislative audit and review committee, the appropriate legislative  
20 committees, and other appropriate officials. Final performance audit  
21 reports shall be posted on the internet.

22 (9) The audited transportation-related agency is responsible for  
23 follow-up and corrective action on all performance audit findings and  
24 recommendations. The audited agency's plan for addressing each audit  
25 finding and recommendation shall be included in the final audit  
26 report. The plan shall provide the name of the contact person  
27 responsible for each action, the action planned, and the anticipated  
28 completion date. If the audited agency does not agree with the audit  
29 findings and recommendations or believes action is not required, then  
30 the action plan shall include an explanation and specific reasons.

31 The office of financial management shall require periodic  
32 progress reports from the audited agency until all resolution has  
33 occurred. The office of financial management is responsible for  
34 achieving audit resolution. The office of financial management shall  
35 annually report by December 31st the status of performance audit  
36 resolution to the appropriate legislative committees and the state  
37 auditor. The legislature shall consider the performance audit results  
38 in connection with the state budget process.

39 The auditor may request status reports on specific audits or  
40 findings.

1 (10) For the period from July 1, 2005, until June 30, 2007, the  
2 amount of \$4,000,000 is appropriated from the transportation  
3 partnership account to the state auditors office for the purposes of  
4 subsections (2) through (9) of this section.

5 (11) During the 2015-2017 fiscal biennium, the legislature may  
6 transfer from the transportation partnership account to the  
7 connecting Washington account such amounts as reflect the excess fund  
8 balance of the transportation partnership account.

9 (12) During the 2017-2019 and the 2019-2021 fiscal biennia, the  
10 legislature may direct the state treasurer to make transfers of  
11 moneys in the transportation partnership account to the connecting  
12 Washington account, the motor vehicle fund, and the capital vessel  
13 replacement account. During the 2021-2023 fiscal biennium, the  
14 legislature may direct the state treasurer to make transfers of  
15 moneys in the transportation partnership account to the motor vehicle  
16 fund and the capital vessel replacement account.

17 **Sec. 713.** RCW 82.44.135 and 2020 c 219 s 706 are each amended to  
18 read as follows:

19 (1) Before a local government subject to this chapter may impose  
20 a motor vehicle excise tax, the local government must contract with  
21 the department for the collection of the tax. The department may  
22 charge a reasonable amount, not to exceed one percent of tax  
23 collections, or two and one-half percent during the 2019-2021  
24 (~~biennium~~) and 2021-2023 biennia, for the administration and  
25 collection of the tax.

26 (2) For fiscal year 2021, the department shall charge a minimum  
27 of seven million eight hundred two thousand dollars, and for the  
28 2021-2023 fiscal biennium, the department shall charge a minimum of  
29 \$15,604,000, which ((is)) are the reasonable ((amount)) amounts aimed  
30 at achieving full cost recovery for the administration and collection  
31 of a motor vehicle excise tax. The amount of the full reimbursement  
32 for the administration and collection of the motor vehicle excise tax  
33 must be deducted before distributing any revenues to a regional  
34 transit authority. Any reimbursement to ensure full cost recovery  
35 beyond the amount specified in this subsection may be negotiated  
36 between the department and the regional transit authority if full  
37 cost recovery has not been achieved, or if based on emergent issues.



1       **Sec. 714.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to  
2 read as follows:

3       (1) The connecting Washington account is created in the motor  
4 vehicle fund. Moneys in the account may be spent only after  
5 appropriation. Expenditures from the account must be used only for  
6 projects or improvements identified as connecting Washington projects  
7 or improvements in a transportation appropriations act, including any  
8 principal and interest on bonds authorized for the projects or  
9 improvements.

10       (2) Moneys in the connecting Washington account may not be  
11 expended on the state route number 99 Alaskan Way viaduct replacement  
12 project.

13       (3) During the 2019-2021 and the 2021-2023 fiscal (~~biennium~~)  
14 biennia, the legislature may direct the state treasurer to make  
15 transfers of moneys in the connecting Washington account to the motor  
16 vehicle fund.

17       **Sec. 715.** RCW 47.56.864 and 2012 c 83 s 3 are each amended to  
18 read as follows:

19       A special account to be known as the Alaskan Way viaduct  
20 replacement project account is created in the state treasury.

21       (1) Deposits to the account must include:

22       (a) All proceeds of bonds issued for construction of the Alaskan  
23 Way viaduct replacement project, including any capitalized interest;

24       (b) All of the tolls and other revenues received from the  
25 operation of the Alaskan Way viaduct replacement project as a toll  
26 facility, to be deposited at least monthly;

27       (c) Any interest that may be earned from the deposit or  
28 investment of those revenues;

29       (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any  
30 surplus real property acquired for the purpose of building the  
31 Alaskan Way viaduct replacement project; and

32       (e) All damages, liquidated or otherwise, collected under any  
33 contract involving the construction of the Alaskan Way viaduct  
34 replacement project.

35       (2) Subject to the covenants made by the state in the bond  
36 proceedings authorizing the issuance and sale of bonds for the  
37 construction of the Alaskan Way viaduct replacement project, toll  
38 charges, other revenues, and interest received from the operation of

1 the Alaskan Way viaduct replacement project as a toll facility may be  
2 used to:

3 (a) Pay any required costs allowed under RCW 47.56.820; and

4 (b) Repay amounts to the motor vehicle fund as required.

5 (3) When repaying the motor vehicle fund, the state treasurer  
6 shall transfer funds from the Alaskan Way viaduct replacement project  
7 account to the motor vehicle fund on or before each debt service date  
8 for bonds issued for the construction of the Alaskan Way viaduct  
9 replacement project in an amount sufficient to repay the motor  
10 vehicle fund for amounts transferred from that fund to the highway  
11 bond retirement fund to provide for any bond principal and interest  
12 due on that date. The state treasurer may establish subaccounts for  
13 the purpose of segregating toll charges, bond sale proceeds, and  
14 other revenues.

15 (4) During the 2021-2023 biennium, the legislature may direct the  
16 state treasurer to make transfers of moneys in the Alaskan Way  
17 viaduct replacement project account to the transportation partnership  
18 account and the motor vehicle fund.

19 **Sec. 716.** RCW 47.56.165 and 2009 c 567 s 1 are each amended to  
20 read as follows:

21 A special account to be known as the Tacoma Narrows toll bridge  
22 account is created in the motor vehicle fund in the state treasury.

23 (1) Deposits to the account must include:

24 (a) All proceeds of bonds issued for construction of the Tacoma  
25 Narrows public-private initiative project, including any capitalized  
26 interest;

27 (b) All of the toll charges and other revenues received from the  
28 operation of the Tacoma Narrows bridge as a toll facility, to be  
29 deposited at least monthly;

30 (c) Any interest that may be earned from the deposit or  
31 investment of those revenues;

32 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any  
33 surplus real property acquired for the purpose of building the second  
34 Tacoma Narrows bridge; and

35 (e) All liquidated damages collected under any contract involving  
36 the construction of the second Tacoma Narrows bridge.

37 (2) Proceeds of bonds shall be used consistent with RCW  
38 47.46.130, including the reimbursement of expenses and fees incurred

1 under agreements entered into under RCW 47.46.040 as required by  
2 those agreements.

3 (3) Toll charges, other revenues, and interest may only be used  
4 to:

5 (a) Pay required costs that contribute directly to the financing,  
6 operation, maintenance, management, and necessary repairs of the  
7 tolled facility, as determined by rule by the transportation  
8 commission; and

9 (b) Repay amounts to the motor vehicle fund as required under RCW  
10 47.46.140.

11 (4) Toll charges, other revenues, and interest may not be used to  
12 pay for costs that do not contribute directly to the financing,  
13 operation, maintenance, management, and necessary repairs of the  
14 tolled facility, as determined by rule by the transportation  
15 commission.

16 (5) The department shall make detailed quarterly expenditure  
17 reports available to the transportation commission and to the public  
18 on the department's website using current department resources.

19 (6) When repaying the motor vehicle fund under RCW 47.46.140, the  
20 state treasurer shall transfer funds from the Tacoma Narrows toll  
21 bridge account to the motor vehicle fund on or before each debt  
22 service date for bonds issued for the Tacoma Narrows public-private  
23 initiative project in an amount sufficient to repay the motor vehicle  
24 fund for amounts transferred from that fund to the highway bond  
25 retirement fund to provide for any bond principal and interest due on  
26 that date. The state treasurer may establish subaccounts for the  
27 purpose of segregating toll charges, bond sale proceeds, and other  
28 revenues.

29 (7) During the 2021-2023 biennium, the legislature may direct the  
30 state treasurer to make transfers of moneys in the Tacoma Narrows  
31 toll bridge account to the motor vehicle fund.

32 **Sec. 717.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to  
33 read as follows:

34 (1)(a) A tax is imposed on the privilege of possession of  
35 hazardous substances in this state. Except as provided in (b) of this  
36 subsection, the rate of the tax is seven-tenths of one percent  
37 multiplied by the wholesale value of the substance. Moneys collected  
38 under this subsection (1)(a) must be deposited in the model toxics  
39 control capital account.

1 (b) Beginning July 1, 2019, the rate of the tax on petroleum  
2 products is one dollar and nine cents per barrel. The tax collected  
3 under this subsection (1)(b) on petroleum products must be deposited  
4 as follows, after first depositing the tax as provided in (c) of this  
5 subsection (~~((1))~~), except that during the 2021-2023 biennium the  
6 deposit as provided in (c) of this subsection may be prorated equally  
7 across each month of the biennium:

8 (i) Sixty percent to the model toxics control operating account  
9 created under RCW 70A.305.180;

10 (ii) Twenty-five percent to the model toxics control capital  
11 account created under RCW 70A.305.190; and

12 (iii) Fifteen percent to the model toxics control stormwater  
13 account created under RCW 70A.305.200.

14 (c) Until the beginning of the ensuing biennium after the  
15 enactment of an additive transportation funding act, fifty million  
16 dollars per biennium to the motor vehicle fund to be used exclusively  
17 for transportation stormwater activities and projects. For purposes  
18 of this subsection, "additive transportation funding act" means an  
19 act in which the combined total of new revenues deposited into the  
20 motor vehicle fund and the multimodal transportation account exceed  
21 two billion dollars per biennium attributable solely to an increase  
22 in revenue from the enactment of the act.

23 (d) The department must compile a list of petroleum products that  
24 are not easily measured on a per barrel basis. Petroleum products  
25 identified on the list are subject to the rate under (a) of this  
26 subsection in lieu of the volumetric rate under (b) of this  
27 subsection. The list will be made in a form and manner prescribed by  
28 the department and must be made available on the department's  
29 internet website. In compiling the list, the department may accept  
30 technical assistance from persons that sell, market, or distribute  
31 petroleum products and consider any other resource the department  
32 finds useful in compiling the list.

33 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.  
34 The tax due dates, reporting periods, and return requirements  
35 applicable to chapter 82.04 RCW apply equally to the tax imposed in  
36 this chapter.

37 (3) Beginning July 1, 2020, and every July 1st thereafter, the  
38 rate specified in subsection (1)(b) of this section must be adjusted  
39 to reflect the percentage change in the implicit price deflator for  
40 nonresidential structures as published by the United States

1 department of commerce, bureau of economic analysis for the most  
2 recent twelve-month period ending December 31st of the prior year.

3 **Sec. 718.** RCW 47.56.876 and 2019 c 416 s 710 are each amended to  
4 read as follows:

5 A special account to be known as the state route number 520 civil  
6 penalties account is created in the state treasury. All state route  
7 number 520 bridge replacement and HOV program civil penalties  
8 generated from the nonpayment of tolls on the state route number 520  
9 corridor must be deposited into the account, as provided under RCW  
10 47.56.870(4)(b)(vii). Moneys in the account may be spent only after  
11 appropriation. Expenditures from the account may be used to fund any  
12 project within the state route number 520 bridge replacement and HOV  
13 program, including mitigation. During the 2021-2023 fiscal biennium,  
14 the legislature may appropriate moneys from the account for  
15 activities related to state route number 520 bridge operations and  
16 maintenance. During the 2013-2015 and 2015-2017 fiscal biennia, the  
17 legislature may transfer from the state route number 520 civil  
18 penalties account to the state route number 520 corridor account such  
19 amounts as reflect the excess fund balance of the state route number  
20 520 civil penalties account. Funds transferred must be used solely  
21 for capital expenditures for the state route number 520 bridge  
22 replacement and HOV project. During the 2017-2019 and the 2019-2021  
23 fiscal biennia, the legislature may direct the state treasurer to  
24 make transfers of moneys in the state route number 520 civil  
25 penalties account to the state route number 520 corridor account.

26 NEW SECTION. **Sec. 719.** (1) The agency financial transaction  
27 account is created in the state treasury. Designated receipts from  
28 cost-recovery charges for credit card and other financial transaction  
29 fees pursuant to this act must be deposited into the account. Moneys  
30 in the account may be spent only after appropriation. Expenditures  
31 from the account may be used only for paying credit card and  
32 financial transaction fees, and other related costs incurred by state  
33 agencies.

34 (2) This section expires June 30, 2023.

35 (3) If Z-0117.2/21 (cost recovery of state agency credit card and  
36 transaction fees) is enacted by June 30, 2021, this section does not  
37 take effect.

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 801.** If any provision of this act or its  
3 application to any person or circumstance is held invalid, the  
4 remainder of the act or the application of the provision to other  
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of  
8 the state government and its existing public institutions, and takes  
9 effect immediately.

(End of Bill)

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