

# Chapter 240-20 WAC

## MULTIMODAL TRANSPORTATION PROGRAMS AND PROJECTS SELECTION COMMITTEE

### WAC

240-20-001	Legislative intent.
240-20-010	Purpose of multimodal transportation programs and projects selection committee.
240-20-015	Definitions.
240-20-020	Organization of committee.
240-20-025	Time and place of meetings.
240-20-030	Address of committee.
240-20-035	Staff support to the committee.
240-20-040	Public access.
240-20-042	Public records officer.
240-20-044	Public records available.
240-20-046	Requests for public records.
240-20-048	Availability for public inspection and copying of public records.
240-20-050	Protection of public records.
240-20-052	Denial of request for public records.
240-20-054	Review of denials of public records requests.
240-20-056	Records index.
240-20-058	Availability of index.
240-20-060	Application guidelines.
240-20-065	Notification of funding availability.
240-20-070	Program and project selection process.
240-20-075	Supplemental applications.
240-20-076	Funding shortfall.
240-20-080	Over-programming of funds.
240-20-090	Reporting.
240-20-110	Central Puget Sound public transportation account—Eligibility.
240-20-120	Central Puget Sound public transportation account—Criteria.
240-20-130	Central Puget Sound public transportation account—Timing.
240-20-210	Public transportation systems account—Eligibility.
240-20-220	Public transportation systems account—Criteria.
240-20-230	Public transportation systems account—Timing.
240-20-310	High capacity transportation account—Eligibility.
240-20-320	High capacity transportation account—Criteria.
240-20-330	High capacity transportation account—Timing.
240-20-410	Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Eligibility.
240-20-420	Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Criteria.
240-20-430	Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Timing.

**WAC 240-20-001 Legislative intent.** There is significant state interest in assuring that viable multimodal transportation programs are available throughout the state. The legislature recognizes the need to create a mechanism to fund multimodal transportation programs and projects. The legislature further recognizes the complexities associated with current funding mechanisms and seeks to create a process that would allow for all transportation programs and projects to compete for limited resources.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-001, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-010 Purpose of multimodal transportation programs and projects selection committee.** The multimodal transportation programs and projects selection committee is a twenty-one member committee, organized under

(12/7/94)

the provisions of chapter 393, Laws of 1993 for the purpose of selecting programs and projects for the state central Puget Sound transportation account; the state public transportation systems account; the state high capacity transportation account; and the federal Intermodal Surface Transportation and Efficiency Act of 1991, statewide competitive program.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-010, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-015 Definitions.** For purposes of this chapter, the following definitions shall apply:

(1) Committee - The multimodal transportation programs and projects selection committee.

(2) Department - The Washington state department of transportation.

(3) Public record - Includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of fiscal form or characteristics.

(4) Exceptions - Include any circumstance, condition, issue, or situation wherein a program or project may be unable to be completed on schedule and/or within its budget.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-015, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-020 Organization of committee.** (1) The committee shall elect a chair and a chair pro tem from its membership. The chair pro tem shall serve as chair when the chair is absent. The terms of these two positions shall be two years.

(2) The committee shall develop a set of by-laws to guide its operation.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-020, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-025 Time and place of meetings.** (1) Regular public meetings of the committee shall be held quarterly on the third Friday of the first month of the quarter, or the second Friday if the third Friday is a holiday. Each regular meeting will be held in a meeting room in the vicinity of the SeaTac International Airport and begin at the hour of 9:00 a.m. or at such other time and place as designated by the committee. Written notice of the time and location of regular meetings shall be provided to individuals on the general mailing list and members of the committee at least one week prior to each meeting.

(2) A special meeting of the committee may be called by the chair or by a majority of the members of the committee, by delivering personally, by facsimile or by mail, written notice to all other members of the committee at least seventy-

[Ch. 240-20 WAC p. 1]

two hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting. All provisions of chapter 42.30 RCW shall apply to all meetings of the committee.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-025, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-030 Address of committee.** Persons wishing to obtain information, be placed on the general mailing list, or to make submissions or requests of any kind shall address their correspondence to:

MTPPS Clerk of the Committee  
 Washington State Department of Transportation  
 P.O. Box 47370  
 Olympia, WA 98504-7370  
 (360) 705-7920  
 fax (360) 705-6820

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-030, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-035 Staff support to the committee.** The department shall be responsible for providing staff support to the committee. The chair shall appoint a clerk of the committee from the department who shall be responsible to the chair for arranging meeting locations and notices, maintaining records, and preparing minutes. The department responsibilities shall include, but not be limited to:

- (1) Assisting the committee in determining short-term and long-term funding needs;
- (2) Assisting the committee in developing a selection process that adheres to criteria set in statute and other criteria set by the committee;
- (3) Administering grants and ensuring that contracts are executed in a timely manner;
- (4) Distribution of funds and monitoring the status of accounts;
- (5) Staff recommendations on policy and programs as appropriate; and
- (6) Submission of an annual report to the legislative transportation committee that summarizes the activities of the committee, no later than January 1 of each year.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-035, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-040 Public access.** The committee shall comply with the provisions of RCW 42.17.250 through 42.17.340 dealing with public records.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-040, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-042 Public records officer.** The committee's public records shall be in the charge of the clerk of the committee, who shall be designated the public records officer for the committee. The person so designated shall be officed in the department of transportation office in Olympia, Washington. The public records officer shall be responsible for implementation of the committee's rules and regulations regarding public access to information and records.

[Ch. 240-20 WAC p. 2]

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-042, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-044 Public records available.** (1) Notes and/or a tape recording shall be made of each meeting and minutes of each committee meeting shall be approved by motion and maintained by the department.

(2) At least every two years, the clerk of the committee shall solicit names and addresses from the public for the purpose of developing a general mailing list. This solicitation shall include the publication of a legal notice in at least five newspapers of general circulation in Washington state to assure geographic distribution throughout the state.

(3) All public records of the committee, as defined in WAC 240-20-015(3) are deemed available for public inspection and copying pursuant to these rules.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-044, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-046 Requests for public records.** Subject to the provisions of subsection (3) of this section, public records are obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

- (a) The name of the person requesting the record.
- (b) The time of day and calendar date on which the request was made.
- (c) If the matter requested is referenced within the current index maintained by the committee, a reference to the requested record as it is described in such index.

(d) If the requested matter is not identifiable by reference to the committee's current index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection or copying at the department's office in Olympia, Washington.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the committee is also a party (or when such a request is made by or on behalf of an attorney for such party) the request shall be referred to the assistant attorney general assigned by the department for appropriate response.

(4) Responses to public records requests shall be made within five business days of receipt of the request. The committee must respond by either (1) providing the record, (2) acknowledging that the committee has received the request and providing a reasonable estimate of the time the agency will require to respond to the request, or (3) denying the public record request, subject to the provisions of RCW 42.17.-320.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-046, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-048 Availability for public inspection and copying of public records.** (1) Public records shall be available for inspection and copying during the normal business hours of the department. For the purposes of this chap-

(12/7/94)

ter, the normal office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

(2) No fee shall be charged for inspection of public records.

(3) The committee shall impose a reasonable charge for providing copies of public records and for the use by any person of department equipment to copy records; such charges shall not exceed the amount necessary to reimburse the department for its actual costs incident to such copying. Actual costs shall include the labor costs of staff, machine cost and paper cost necessary to provide copies of requested records.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-048, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-050 Protection of public records.** In order to implement the provisions of RCW 42.17 requiring agencies to enact reasonable rules to protect public records from damage or disorganization, the following rules have been adopted.

(1) Copying of public documents shall be done by department personnel and under the supervision of said personnel, upon the request of members of the public under the procedures set down in WAC 240-20-046, and with the approval of the clerk of the committee.

(2) No document shall be physically removed by a member of the public from the area designated by the department for the public inspection of documents for any reason whatsoever.

(3) When a member of the public requests to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents which can be identified and supplied by themselves, the committee shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure by RCW 42.17.310 is contained therein, and the committee shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-050, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-052 Denial of request for public records.** Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. Such statement shall be sufficiently clear and complete to permit the chair of the committee to review the denial in accordance with WAC 240-20-054.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-052, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-054 Review of denials of public records requests.** Any person who objects to the denial of a request for a public record may request the attorney general to review the matter subject to RCW 42.17.325.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-054, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

(12/7/94)

**WAC 240-20-056 Records index.** (1) The committee has available to all persons at the department's offices in Olympia a current index which provides identifying information as to the following records issued, adopted, or promulgated by the committee:

(a) Minutes of committee meetings, state legislation, and proposed rules and regulations pertaining to committee standards.

(b) Those statements of policy and interpretations of policy, statute, and the constitution which have been adopted by the committee;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, interim and final planning decisions, and application guidelines;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others.

(2) A system of indexing shall be as follows:

(a) The indexing system will be administered by the public records officer and located in the department's office in Olympia, Washington.

(b) Copies of all indexes shall be available for public inspection and copying in the manner provided for the inspection and copying of public records.

(c) The public records officer shall update all indexes at least once a year and shall revise such indexes when deemed necessary by the committee.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-056, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-058 Availability of index.** The current index promulgated by the committee shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-058, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-060 Application guidelines.** The committee shall prepare application guidelines for all fund accounts. At a minimum, such guidelines shall include all application forms needed and instructions on how to apply, sufficient information as to the scoring process to enable applicants to fairly compete, and a complete time schedule identifying key milestones from the opening of the application period to final project selection. Such guidelines shall be available upon request to the public records officer at least thirty days prior to the date applications are due to the committee.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-060, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-065 Notification of funding availability.** The committee shall ensure that notification of the availability of funds from the accounts identified in WAC 240-20-010 will be done no less than thirty calendar days prior to the date by which applications must be received. Minimum notification shall mean publishing a notice in at least five newspapers with general circulation and maximum geographic

distribution within Washington state. Such notice shall include the name of the account or accounts, a short description of the account identifying its purpose, and an address and telephone number by which means an interested party can obtain further information and all application materials.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-065, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-070 Program and project selection process.** The program and project selection process shall consist of the following steps for each account.

(1) The committee shall create a technical review team. Membership on such team shall be at the discretion of the committee, but shall represent diversified interests and geographical distribution. Such team shall be responsible for screening applications for completeness. Those applications failing to meet the requirements set forth in the application guidelines identified in WAC 240-20-060 shall be recommended for rejection. The team shall then score each application deemed complete and prepare a preliminary ranked list of applications to present to the committee. All applicants shall be notified in writing as to their preliminary score and ranking.

(2) The committee shall review the applications and the recommended ranking of programs and projects received from the technical review team. The committee shall make the final selection of programs and projects.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-070, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-075 Supplemental applications.** After program and project selection, circumstances may develop wherein unobligated funds may accumulate in one or more of the accounts. Such accumulation may occur as a result of a program or project costing less than budgeted, a program or project being unable to go forward or to complete its objectives, or more funds being available in the account than projected. Should such accumulations occur, the committee may institute a supplemental application period to program those funds. Should the committee elect to do so, the application and project selection process will be subject to the conditions identified in this chapter. Furthermore, the application guidelines identified by WAC 240-20-060 and currently in use shall be used for the supplemental process.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-17-039, § 240-20-075, filed 8/10/94, effective 9/10/94.]

**WAC 240-20-076 Funding shortfall.** If it shall be determined by the committee that the funding in any of the accounts will be insufficient to meet the contracted obligations identified for the selected projects, the committee shall have discretion as to the remedial action it will take. Such actions may include, but shall not be limited to, termination of projects, reduction in funding to selected projects, and/or an across the board reduction in funding for all projects. Such action shall occur only after the committee holds a public hearing during which the affected parties may testify as to impacts of such actions.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-24-077, § 240-20-076, filed 12/7/94, effective 1/7/95.]

[Ch. 240-20 WAC p. 4]

**WAC 240-20-080 Over-programming of funds.** The committee shall select projects based on its estimate of revenues and expenditures. The committee may utilize the principle of over-programming when selecting projects, the degree of such over-programming to be at the discretion of the committee for each account and application period.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-080, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-090 Reporting.** The clerk of the committee shall be responsible for the preparation of all reports to and on behalf of the committee. Such reports shall minimally include the following:

(1) Exception reports. The clerk of the committee shall report to the chair any exceptions that occur concerning projects and programs by account. Such report shall be submitted at such time as the exception becomes known.

(2) Quarterly reports. The clerk of the committee shall provide to the committee a report of the progress of programs and projects for each account. Such report shall be submitted prior to each regularly scheduled committee meeting at a time that permits it to be part of the information packets that include the meeting agenda and past meeting minutes. The format of such report shall be determined by the committee and communicated to the clerk of the committee.

(3) Annual report. The clerk of the committee shall prepare for the committee an annual report. Such report shall be presented to the committee at the regular scheduled meeting in the last quarter of the year for approval, and then presented to the legislative transportation committees by no later than January 1 of each year.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-090, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-110 Central Puget Sound public transportation account—Eligibility.** (1) Eligibility to apply shall be limited to public agencies with offices in King, Kitsap, Pierce, and Snohomish counties.

(2) Projects eligible for funding from the central Puget Sound public transportation account shall be limited to public transportation projects for:

- (a) Planning;
- (b) Development of capital projects;
- (c) Development of high capacity transportation systems as defined in RCW 81.104.015;
- (d) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020; and
- (e) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board.

(3) Projects eligible for funding under the central Puget Sound public transportation account shall be limited to those located in King, Kitsap, Pierce, and Snohomish counties.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-110, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-120 Central Puget Sound public transportation account—Criteria.** (1) Projects selected for funding from the central Puget Sound public transportation account shall be consistent with the following criteria:

- (a) Local, regional, and state transportation plans;

(12/7/94)

(b) Local transit development plans; and

(c) Local comprehensive land use plans.

(2) The following criteria shall be considered by the committee in selecting programs and projects:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the committee, and safety and security issues.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-120, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-130 Central Puget Sound public transportation account—Timing.**

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-130, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-210 Public transportation systems account—Eligibility.** (1) Participation in the public transportation systems account shall be limited to those public transportation systems that contribute funds to the account.

(2) Projects eligible for funding from the public transportation systems account shall be limited to public transportation projects for:

(a) Planning;

(b) Development of capital projects;

(c) Development of high capacity transportation systems as defined in RCW 81.104.015;

(d) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020;

(e) Other public transportation system-related roadway projects on state highways, county roads, or city streets; and

(f) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board.

(3) Projects eligible for funding under the public transportation systems account shall be limited to areas in Washington state outside of the central Puget Sound region identified in WAC 240-20-110(3).

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-210, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-220 Public transportation systems account—Criteria.** (1) Projects selected for funding from the public transportation systems account shall be consistent with the following criteria:

(a) Local, regional, and state transportation plans;

(b) Local transit development plans; and

(c) Local comprehensive land use plans.

(2) The following criteria shall be considered by the committee in selecting programs and projects:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal

(12/7/94)

and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the committee, and safety and security issues.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-220, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-230 Public transportation systems account—Timing.**

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-230, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-310 High capacity transportation account—Eligibility.** (1) Participation in the high capacity transportation account shall be limited to transit agencies and regional transportation authorities.

(2) Projects eligible for funding from the account shall be limited to planning for high capacity transportation systems.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state, and subject to the conditions identified in RCW 81.104.030 and 81.104.040.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-310, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-320 High capacity transportation account—Criteria.** (1) Projects selected for funding from the high capacity transportation account shall be consistent with the following criteria:

(a) Local, regional, and state transportation plans;

(b) Local transit development plans; and

(c) Local comprehensive land use plans.

(2) The following criteria shall be considered by the committee in selecting programs and projects:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the committee, and safety and security issues.

(3) Authorizations for state funding for high capacity transportation planning projects shall be subject to the additional following criteria:

(a) Conformance with the designated regional transportation planning organization's regional transportation plan;

(b) Local matching funds;

(c) Demonstration of projected improvement in regional mobility;

(d) Conformance with planning requirements prescribed in RCW 81.104.100, and if five hundred thousand dollars or

more in state funding is requested, conformance with the requirements of RCW 81.104.110; and

(e) Establishment, through interlocal agreements, of a joint regional policy committee as defined in RCW 81.104.-030 or 81.104.040.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-320, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-330 High capacity transportation account—Timing.**

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-330, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-410 Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Eligibility.** (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Planning;
- (b) Preliminary engineering;
- (c) Right of way acquisition;
- (d) Construction; and
- (e) Capital equipment acquisition.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-410, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-420 Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Criteria.** (1) Projects selected for funding from the statewide competitive program account shall be consistent with the following criteria:

- (a) Local, regional, and state transportation plans;
  - (b) Local transit development plans; and
  - (c) Local comprehensive land use plans.
- (2) The following criteria shall be considered:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement as related to economic development, regional significance, rural isolation, the leveraging of other funds including funds administered by the committee, and safety and security issues.

(3) In addition to the criteria identified in subsections (1) and (2) above, the committee may choose to identify additional criteria for program and project selection for the statewide competitive program. Such criteria shall be subject to public hearings as required by federal law, and shall be identified in the application guidelines.

(4) The committee shall prepare application forms and guidelines to assist eligible applicants and ensure their distri-

bution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-420, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

**WAC 240-20-430 Intermodal Surface Transportation Efficiency Act, surface transportation program, statewide competitive program account—Timing.**

[Statutory Authority: Chapter 47.66 RCW. WSR 94-10-030 and 94-11-081, § 240-20-430, filed 4/28/94 and 5/16/94, effective 5/1/94 and 5/16/94.]

