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**SUBSTITUTE SENATE BILL 5764**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Shin, Horn, Winsley, Oke and Haugen; by request of The Blue Ribbon Commission on Transportation)

READ FIRST TIME 03/08/01.

1 AN ACT Relating to maintaining and preserving transportation  
2 facilities and assets; amending RCW 35.84.060, 47.06.050, and  
3 47.06.090; adding a new section to chapter 36.56 RCW; adding a new  
4 section to chapter 36.57A RCW; adding a new section to chapter 46.68  
5 RCW; adding a new section to chapter 81.112 RCW; adding a new section  
6 to chapter 47.26 RCW; and creating a new section.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that roads, streets,  
9 bridges, and highways in the state represent public assets worth over  
10 one hundred billion dollars. These investments require regular  
11 maintenance and preservation, or rehabilitation, to provide cost-  
12 effective transportation services. Many of these facilities are in  
13 poor condition. Given the magnitude of public investment and the  
14 importance of safe, reliable roadways to the motoring public, the  
15 legislature intends to create stronger accountability to ensure that  
16 cost-effective maintenance and preservation is provided for these  
17 transportation facilities.

1       **Sec. 2.** RCW 35.84.060 and 1969 ex.s. c 281 s 26 are each amended  
2 to read as follows:

3       Every municipal corporation which owns or operates an urban public  
4 transportation system as defined in RCW 47.04.082 within its corporate  
5 limits, may acquire, construct, extend, own, or operate such urban  
6 public transportation system to any point or points not to exceed  
7 fifteen miles outside of its corporate limits: PROVIDED, That no  
8 municipal corporation shall extend its urban public transportation  
9 system beyond its corporate limits to operate in any territory already  
10 served by a privately operated auto transportation company holding a  
11 certificate of public convenience and necessity from the utilities and  
12 transportation commission.

13       As a condition of receiving state funding, the municipal  
14 corporation shall submit a maintenance management plan for  
15 certification by the transportation commission or its successor entity.  
16 The plan must inventory all transportation system assets within the  
17 direction and control of the municipality, and provide a plan for  
18 maintenance and, where appropriate, replacement of assets based on  
19 lowest life cycle cost methodologies.

20       During the 2001-2003 biennium, the municipal corporation shall  
21 provide to the transportation commission, or its successor entity,  
22 preservation rating information on at least seventy percent of the  
23 city's arterial network. Thereafter, the preservation rating  
24 information requirement will increase in five percent increments in  
25 subsequent biennia. The rating system used by the municipal  
26 corporation must be based upon the Washington state pavement rating  
27 method.

28       NEW SECTION. **Sec. 3.** A new section is added to chapter 36.56 RCW  
29 to read as follows:

30       As a condition of receiving state funding, a county that has  
31 assumed the transportation functions of a metropolitan municipal  
32 corporation shall submit a maintenance and preservation management plan  
33 for certification by the transportation commission or its successor  
34 entity. The plan must inventory all transportation system assets  
35 within the direction and control of the county, and provide a plan for  
36 maintenance, preservation, and, where appropriate, replacement of  
37 assets based on lowest life cycle cost methodologies.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 36.57A RCW  
2 to read as follows:

3        As a condition of receiving state funding, a public transportation  
4 benefit area authority shall submit a maintenance and preservation  
5 management plan for certification by the transportation commission or  
6 its successor entity. The plan must inventory all assets within the  
7 direction and control of the authority, and provide a plan for  
8 maintenance, preservation, and, where appropriate, replacement of  
9 assets based on lowest life cycle cost methodologies.

10       NEW SECTION.    **Sec. 5.**    A new section is added to chapter 46.68 RCW  
11 to read as follows:

12       The distributions specified in RCW 46.68.090(1) (i) and (j) are  
13 subject to the following conditions: Counties, cities, and towns must  
14 submit a plan to the transportation commission or its successor entity,  
15 demonstrating use of maintenance management systems and pavement  
16 management systems. The commission will certify use of adequate  
17 maintenance management systems and pavement management systems for  
18 counties, cities, and towns only if an inventory of facilities and a  
19 corresponding pavement management system using lowest life cycle cost  
20 principles is submitted by each relevant jurisdiction.

21       **Sec. 6.**    RCW 47.06.050 and 1993 c 446 s 5 are each amended to read  
22 as follows:

23       The state-owned facilities component of the statewide  
24 transportation plan shall consist of:

25       (1) The state highway system plan, which identifies program and  
26 financing needs and recommends specific and financially realistic  
27 improvements to preserve the structural integrity of the state highway  
28 system, ensure acceptable operating conditions, and provide for  
29 enhanced access to scenic, recreational, and cultural resources. The  
30 state highway system plan shall contain the following elements:

31       (a) A system preservation element, which shall establish structural  
32 preservation objectives for the state highway system including bridges,  
33 identify current and future structural deficiencies based upon analysis  
34 of current conditions and projected future deterioration, and recommend  
35 program funding levels and specific actions necessary to preserve the  
36 structural integrity of the state highway system consistent with  
37 adopted objectives. Lowest life cycle cost methodologies must be used

1 in developing a pavement management system. This element shall serve  
2 as the basis for the preservation component of the six-year highway  
3 program and the two-year biennial budget request to the legislature;

4 (b) A capacity and operational improvement element, which shall  
5 establish operational objectives, including safety considerations, for  
6 moving people and goods on the state highway system, identify current  
7 and future capacity, operational, and safety deficiencies, and  
8 recommend program funding levels and specific improvements and  
9 strategies necessary to achieve the operational objectives. In  
10 developing capacity and operational improvement plans the department  
11 shall first assess strategies to enhance the operational efficiency of  
12 the existing system before recommending system expansion. Strategies  
13 to enhance the operational efficiencies include but are not limited to  
14 access management, transportation system management, demand management,  
15 and high-occupancy vehicle facilities. The capacity and operational  
16 improvement element must conform to the state implementation plan for  
17 air quality and be consistent with regional transportation plans  
18 adopted under chapter 47.80 RCW, and shall serve as the basis for the  
19 capacity and operational improvement portions of the six-year highway  
20 program and the two-year biennial budget request to the legislature;

21 (c) A scenic and recreational highways element, which shall  
22 identify and recommend designation of scenic and recreational highways,  
23 provide for enhanced access to scenic, recreational, and cultural  
24 resources associated with designated routes, and recommend a variety of  
25 management strategies to protect, preserve, and enhance these  
26 resources. The department, affected counties, cities, and towns,  
27 regional transportation planning organizations, and other state or  
28 federal agencies shall jointly develop this element;

29 (d) A paths and trails element, which shall identify the needs of  
30 nonmotorized transportation modes on the state transportation systems  
31 and provide the basis for the investment of state transportation funds  
32 in paths and trails, including funding provided under chapter 47.30  
33 RCW.

34 (2) The state ferry system plan, which shall guide capital and  
35 operating investments in the state ferry system. The plan shall  
36 establish service objectives for state ferry routes, forecast travel  
37 demand for the various markets served in the system, (~~and~~) develop  
38 strategies for ferry system investment that consider regional and  
39 statewide vehicle and passenger needs, support local land use plans,

1 and assure that ferry services are fully integrated with other  
2 transportation services. The plan must provide for maintenance and  
3 preservation of capital assets based on lowest life cycle cost  
4 methodologies. The plan shall assess the role of private ferries  
5 operating under the authority of the utilities and transportation  
6 commission and shall coordinate ferry system capital and operational  
7 plans with these private operations. The ferry system plan must be  
8 consistent with the regional transportation plans for areas served by  
9 the state ferry system, and shall be developed in conjunction with the  
10 ferry advisory committees.

11 **Sec. 7.** RCW 47.06.090 and 1993 c 446 s 9 are each amended to read  
12 as follows:

13 The state-interest component of the statewide multimodal  
14 transportation plan shall include an intercity passenger rail plan,  
15 which shall analyze existing intercity passenger rail service and  
16 recommend improvements to that service under the state passenger rail  
17 service program including depot improvements, potential service  
18 extensions, and ways to achieve higher train speeds.

19 For purposes of maintaining and preserving any state-owned  
20 component of the state's passenger rail program, the statewide  
21 multimodal transportation plan must identify all such assets and  
22 provide a preservation and maintenance plan based on lowest life cycle  
23 cost methodologies.

24 NEW SECTION. **Sec. 8.** A new section is added to chapter 81.112 RCW  
25 to read as follows:

26 As a condition of receiving state funding, a regional transit  
27 authority shall submit a maintenance and preservation management plan  
28 for certification by the transportation commission or its successor  
29 entity. The plan must inventory all assets within the direction and  
30 control of the transit authority, and provide a plan for maintenance,  
31 preservation, and, where appropriate, replacement of assets based on  
32 lowest life cycle cost methodologies.

33 NEW SECTION. **Sec. 9.** A new section is added to chapter 47.26 RCW  
34 to read as follows:

35 The board shall establish a standard of good practice for  
36 maintenance of transportation system assets. This standard must be

1 implemented by all counties no later than December 31, 2006. The board  
2 shall develop a model maintenance management system for use by  
3 counties. The board shall develop rules to assist the counties in the  
4 implementation of this system. Counties shall annually submit their  
5 maintenance plans to the board. The board shall compile the county  
6 data regarding maintenance management and annually submit it to the  
7 transportation commission or its successor entity.

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