

VETO MESSAGE ON HB 1163-S

May 19, 2003

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 212(4); 305(13); 305(15); 306(7); and 409, Engrossed Substitute House Bill No. 1163, entitled:

"AN ACT Relating to transportation funding and appropriations;"

**Section 212(4), Page 12, House Bill No. 2065**

This proviso allocates \$2,901,000 from the motor vehicle account - state to the Department of Licensing (DOL) for implementation of House Bill No. 2065 relating to new license plate technology.

House Bill No. 2065 would require DOL to phase-in digital license plates starting July 1, 2004, with full implementation by January 1, 2007.

With so many other pressing transportation demands, the substantial six-year cost of \$10.3 million is not warranted at this time. However, I support digital license plate technology and intend to retain the twenty-five cent registration fee for deposit in the license plate technology account as provided in House Bill No. 2065. While providing the savings for this eventual transition, we can take a more deliberative approach to designing a system that best fits the state's needs. I intend to veto much of House Bill No. 2065, thus, this proviso is unnecessary.

In the meantime, I have directed the DOL to continue to explore new and innovative ways to utilize technology advancements to improve services and to provide the most cost effective business practices possible. We will continue to work with the appropriate legislative committees to address the intent of House Bill No. 2065 in a more cost effective manner.

**Section 305(13), Page 29, Department of Transportation - Improvements - Program I**

Section 305(13) would have prevented federal funds from being used to expand the scope of any improvement project receiving appropriation in section 305.

The provisions outlined in this subsection could unnecessarily limit the department from receiving federal funds earmarked for an existing transportation improvement project. I believe it is unwise to preclude the expenditure of federal monies that may even further advance these projects.

**Section 305(15), Page 29, Department of Transportation - Improvements - Program I**

Section 305(15) would have prevented the continued operation of the high-occupancy vehicle (HOV) lane pilot project in Clark County,

which was established in partnership with the Regional Transportation Council.

The provisions outlined in this subsection would effectively eliminate the ability to continue the HOV pilot project in Clark County. There is strong support by a majority of local agencies in Clark County to continue this pilot project for two more years. Additionally, the HOV lane is achieving six of the eight goals established at the beginning of the pilot project.

**Section 306(7), Page 30, Department of Transportation - Preservation - Program P**

Section 306(7) would have prevented federal funds from being used to expand the scope of any preservation project receiving appropriation in section 306.

The provisions outlined in this subsection could unnecessarily limit the department from receiving federal earmarks for existing preservation projects. I believe it is unwise to preclude the expenditure of federal monies that may even further advance these projects.

**Section 409, Page 39, For the State Treasurer - Transfers**

This section transfers \$2,901,000 from the License Plate Technology Account to the motor vehicle account - state pursuant to House Bill No. 2065, which I intend to veto substantial portions of. For the reasons outlined with respect to section 212(4) above, this transfer is not required.

I also have concerns about the following section of this bill that I would have vetoed but for the following interpretations of legislative intent.

**Section 225(3), Page 22, Multimodal Transportation Account - State**

This section directs the Washington State Ferries to "...develop a plan to increase passenger-only farebox recovery to at least forty percent by July 1, 2003 with an additional goal of eighty percent, through increased fares, lower operating costs, and other cost-saving measures as appropriate." Given that the time required to implement a fare increase sufficient to achieve 40% farebox recovery would extend well beyond July 1, 2003, I therefore understand the intent of this proviso to mean that the Washington State Ferries must complete the referenced plan by July 1, 2003 and report on the plan to the transportation committees of the legislature by December 1, 2003.

In order to implement the aforementioned plan, subsection 225(3) also authorizes the Washington State Ferry System to "...negotiate changes in work hours (requirements for split shift work), but only with respect to operating passenger-only ferry service..." I believe that this proviso is in no way intended to limit or alter the rights of ferry system management or ferry system employee organizations under RCW 47.64.120 to negotiate with respect to work hours and schedules for auto ferry service.

For these reasons, I have vetoed sections 212(4); 305(13); 305(15);

306(7); and 409 of Engrossed Substitute House Bill No. 1163.

With the exception of sections 212 (4); 305(13); 305(15); 306(7); and 409, Engrossed Substitute House Bill No. 1163 is approved.

Respectfully submitted,  
Gary Locke  
Governor