

ESHB 1094 - CONF REPT
By Conference Committee

1 Strike everything after the enacting clause and insert the
2 following:

3 "2007-09 BIENNIUM

4 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
5 is hereby adopted and, subject to the provisions set forth, the several
6 amounts specified, or as much thereof as may be necessary to accomplish
7 the purposes designated, are hereby appropriated from the several
8 accounts and funds named to the designated state agencies and offices
9 for employee compensation and other expenses, for capital projects, and
10 for other specified purposes, including the payment of any final
11 judgments arising out of such activities, for the period ending June
12 30, 2009.

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

15 (a) "Fiscal year 2008" or "FY 2008" means the fiscal year ending
16 June 30, 2008.

17 (b) "Fiscal year 2009" or "FY 2009" means the fiscal year ending
18 June 30, 2009.

19 (c) "FTE" means full-time equivalent.

20 (d) "Lapse" or "revert" means the amount shall return to an
21 unappropriated status.

22 (e) "Provided solely" means the specified amount may be spent only
23 for the specified purpose. Unless otherwise specifically authorized in
24 this act, any portion of an amount provided solely for a specified
25 purpose which is not expended subject to the specified conditions and
26 limitations to fulfill the specified purpose shall lapse.

27 (f) "Reappropriation" means appropriation and, unless the context
28 clearly provides otherwise, is subject to the relevant conditions and
29 limitations applicable to appropriations.

1 (g) "LEAP" means the legislative evaluation and accountability
2 program committee.

3 **GENERAL GOVERNMENT AGENCIES--OPERATING**

4 NEW SECTION. **Sec. 101. FOR THE UTILITIES AND TRANSPORTATION**
5 **COMMISSION**

6 Grade Crossing Protective Account--State Appropriation . . . \$505,000

7 NEW SECTION. **Sec. 102. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

8 Motor Vehicle Account--State Appropriation \$3,054,000

9 Puget Sound Ferry Operations Account--State
10 Appropriation \$100,000

11 TOTAL APPROPRIATION \$3,154,000

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

14 (1) \$2,545,000 of the motor vehicle account--state appropriation is
15 provided solely for the office of regulatory assistance integrated
16 permitting project.

17 (2) \$75,000 of the motor vehicle account state appropriation is
18 provided solely to address transportation budget and reporting
19 requirements.

20 NEW SECTION. **Sec. 103. FOR THE MARINE EMPLOYEES COMMISSION**

21 Puget Sound Ferry Operations Account--State
22 Appropriation \$422,000

23 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
24 **COMMISSION**

25 Motor Vehicle Account--State Appropriation \$985,000

26 The appropriation in this section is subject to the following
27 conditions and limitations: The entire appropriation in this section
28 is provided solely for road maintenance purposes.

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

30 Motor Vehicle Account--State Appropriation \$1,358,000

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

3 (1) \$351,000 of the motor vehicle account--state appropriation is
4 provided solely for costs associated with the motor fuel quality
5 program.

6 (2) \$1,007,000 of the motor vehicle account--state appropriation is
7 provided solely to test the quality of biofuel. The department must
8 test fuel quality at the biofuel manufacturer, distributor, and
9 retailer.

10 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF ARCHEOLOGY AND**
11 **HISTORIC PRESERVATION**

12 Motor Vehicle Account--State Appropriation \$223,000

13 The appropriation in this section is subject to the following
14 conditions and limitations: The entire appropriation is provided
15 solely for staffing costs to be dedicated to state transportation
16 activities. Staff hired to support transportation activities must have
17 practical experience with complex construction projects.

18 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
19 **ACCOUNTABILITY PROGRAM COMMITTEE**

20 Motor Vehicle Account--State Appropriation \$1,595,000

21 The appropriation in this section is subject to the following
22 conditions and limitations:

23 (1) \$800,000 of the motor vehicle account--state appropriation is
24 provided solely for the continued maintenance and support of the
25 transportation executive information system (TEIS).

26 (2) \$795,000 of the motor vehicle account--state appropriation is
27 provided solely for development of a new transportation capital
28 budgeting system and transition of a copy of the transportation
29 executive information system (TEIS) to LEAP. At a minimum, the new
30 budgeting system development effort must provide comprehensive
31 schematic diagrams of the current and proposed transportation capital
32 budget process, information flows, and data exchanges; common, agreed-
33 upon data definitions and business rules; detailed transportation
34 capital budget data and system requirements; and a strategy for
35 implementation, including associated costs and a timeframe.

1 NEW SECTION. **Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
2 **COMMITTEE** As part of its 2007-09 biennium workplan, the committee
3 shall:

4 (1) Review the Washington state ferries' assignment of preservation
5 costs as required by Engrossed Substitute House Bill No. 2358, for
6 fiscal year 2008, to determine whether costs are capital costs and
7 whether they meet the statutory requirements for preservation
8 activities, and report its findings to the legislature not later than
9 January 2009.

10 (2) Review the Washington state ferries' implementation of the life
11 cycle cost model, as required by Engrossed Substitute House Bill No.
12 2358, and report to the legislature not later than June 30, 2009, on
13 whether the model:

14 (a) Complies with available industry standards or
15 department-adopted standard life cycles derived from the experience of
16 similar public and private entities when industry standards are not
17 available;

18 (b) Is maintained and updated when asset inspections are made;

19 (c) Excludes utilities and other systems that are not replaced on
20 a standard life cycle;

21 (d) Provides that all assets in the life-cycle cost model are
22 inspected and updated for asset condition at least every three years;
23 and

24 (e) Excludes assets not yet built.

25 (3) The committee shall solicit input regarding the study workplan
26 from the joint transportation committee.

27 **TRANSPORTATION AGENCIES--OPERATING**

28 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
29 **COMMISSION**

30 Highway Safety Account--State Appropriation	\$2,609,000
31 Highway Safety Account--Federal Appropriation	\$15,880,000
32 School Zone Safety Account--State Appropriation	\$3,300,000
33 TOTAL APPROPRIATION	\$21,789,000

34 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**
35 Rural Arterial Trust Account--State Appropriation \$907,000

1 Motor Vehicle Account--State Appropriation \$2,075,000
 2 County Arterial Preservation Account--State
 3 Appropriation \$1,399,000
 4 TOTAL APPROPRIATION \$4,381,000

5 The appropriations in this section are subject to the following
 6 conditions and limitations: \$481,000 of the county arterial
 7 preservation account--state appropriation is provided solely for
 8 continued development and implementation of a maintenance management
 9 system to manage county transportation assets.

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

11 Urban Arterial Trust Account--State Appropriation \$1,793,000
 12 Transportation Improvement Account--State
 13 Appropriation \$1,795,000
 14 TOTAL APPROPRIATION \$3,588,000

15 NEW SECTION. **Sec. 204. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

16 Pilotage Account--State Appropriation \$1,156,000

17 NEW SECTION. **Sec. 205. FOR THE JOINT TRANSPORTATION COMMITTEE**

18 Motor Vehicle Account--State Appropriation \$2,103,000
 19 Multimodal Transportation Account--State Appropriation \$550,000
 20 TOTAL APPROPRIATION \$2,653,000

21 The appropriation in this section is subject to the following
 22 conditions and limitations:

23 (1) \$500,000 of the motor vehicle account--state appropriation is
 24 for establishing a workgroup to implement Engrossed Substitute House
 25 Bill No. 2358 (regarding state ferries) and review other matters
 26 relating to Washington state ferries. The cochairs of the committee
 27 shall establish the workgroup comprising committee members or their
 28 designees, an appointee by the governor, and other stakeholders as
 29 appointed by the cochairs, to assist in the committee's work. The
 30 workgroup shall report the progress of its tasks to the transportation
 31 committees of the legislature by December 15, 2007. The workgroup is
 32 tasked with the following:

33 (a) Implementing the recommendations of Engrossed Substitute House
 34 Bill No. 2358 (regarding state ferries). As directed by Engrossed

1 Substitute House Bill No. 2358, the committee workgroup shall
2 participate in and provide a review of the following:

3 (i) The Washington transportation commission's development and
4 interpretation of a survey of ferry customers;

5 (ii) The department of transportation's analysis and
6 reestablishment of vehicle level of service standards. In
7 reestablishing the standards, consideration must be given to whether
8 boat wait is the appropriate measure;

9 (iii) The department's development of pricing policy proposals. In
10 developing these policies, the policy, in effect on some routes, of
11 collecting fares in only one direction must be evaluated to determine
12 whether one-way fare pricing best serves the ferry system;

13 (iv) The department's development of operational strategies;

14 (v) The department's development of terminal design standards; and

15 (vi) The department's development of a long-range capital plan;

16 (b) Reviewing the following Washington state ferry programs:

17 (i) Ridership demand forecast;

18 (ii) Updated life cycle cost model, as directed by Engrossed
19 Substitute House Bill No. 2358;

20 (iii) Administrative operating costs, nonlabor and nonfuel
21 operating costs, Eagle Harbor maintenance facility program and
22 maintenance costs, administrative and systemwide capital costs, and
23 vessel preservation costs; and

24 (iv) The Washington state ferries' proposed capital cost allocation
25 plan methodology, as described in Engrossed Substitute House Bill No.
26 2358;

27 (c) Making recommendations regarding:

28 (i) The most efficient timing and sizing of future vessel
29 acquisitions beyond those currently authorized by the legislature.
30 Vessel acquisition recommendations must be based on the ridership
31 projections, level of service standards, and operational and pricing
32 strategies reviewed by the committee and must include the impact of
33 those recommendations on the timing and size of terminal capital
34 investments and the state ferries' long range operating and capital
35 finance plans; and

36 (ii) Capital financing strategies for consideration in the 2009
37 legislative session. This work must include confirming the
38 department's estimate of future capital requirements based on a long

1 range capital plan and must include the department's development of a
2 plan for codevelopment and public private partnership opportunities at
3 public ferry terminals; and

4 (d) Evaluate the capital cost allocation plan methodology developed
5 by the department to implement Engrossed Substitute House Bill No.
6 2358.

7 (2) \$250,000 of the motor vehicle account--state appropriation and
8 \$250,000 of the multimodal transportation account--state appropriation
9 are for the implementation of Substitute Senate Bill No. 5207.

10 (3) \$300,000 of the multimodal transportation account--state
11 appropriation is for implementing Substitute House Bill No. 1694
12 (coordinated transportation). If Substitute House Bill No. 1694 is not
13 enacted by June 30, 2007, the amount provided in this subsection shall
14 lapse.

15 NEW SECTION. **Sec. 206. FOR THE TRANSPORTATION COMMISSION**

16 Motor Vehicle Account--State Appropriation	\$2,276,000
17 Multimodal Transportation Account--State Appropriation	\$112,000
18 TOTAL APPROPRIATION	\$2,388,000

19 The appropriations in this section are subject to the following
20 conditions and limitations:

21 (1) \$350,000 of the motor vehicle account--state appropriation is
22 provided solely for the commission to conduct a survey of ferry
23 customers as described in Engrossed Substitute House Bill No. 2358.
24 Development and interpretation of the survey must be done with
25 participation of the joint transportation committee workgroup
26 established in section 205(1) of this act.

27 (2) \$100,000 of the motor vehicle account--state appropriation is
28 provided solely for a study to identify and evaluate long-term
29 financing alternatives for the Washington state ferry system. The
30 study shall incorporate the findings of the initial survey described in
31 subsection (1) of this section, and shall consider the potential for
32 state, regional, or local financing options. The commission shall
33 submit a draft final report of its findings and recommendations to the
34 transportation committees of the legislature no later than December
35 2008.

36 (3) The commission shall conduct a planning grade tolling study

1 that is based on the recommended policies in the commission's
2 comprehensive tolling study submitted September 20, 2006.

3 NEW SECTION. **Sec. 207. FOR THE FREIGHT MOBILITY STRATEGIC**
4 **INVESTMENT BOARD**

5 Motor Vehicle Account--State Appropriation \$695,000

6 The appropriation in this section is subject to the following
7 conditions and limitations:

8 (1) The freight mobility strategic investment board shall, on a
9 quarterly basis, provide status reports to the office of financial
10 management and the transportation committees of the legislature on the
11 delivery of projects funded by this act.

12 (2) The freight mobility strategic investment board and the
13 department of transportation shall collaborate to submit a report to
14 the office of financial management and the transportation committees of
15 the legislature by September 1, 2008, listing proposed freight highway
16 and rail projects. The report must describe the analysis used for
17 selecting such projects, as required by chapter 47.06A RCW for the
18 board and as required by this act for the department. When developing
19 its list of proposed freight highway and rail projects, the freight
20 mobility strategic investment board shall use the priorities identified
21 in section 309(7)(a) of this act to the greatest extent possible.

22 NEW SECTION. **Sec. 208. FOR THE WASHINGTON STATE PATROL--FIELD**
23 **OPERATIONS BUREAU**

24 State Patrol Highway Account--State

25 Appropriation \$225,445,000

26 State Patrol Highway Account--Federal

27 Appropriation \$10,602,000

28 State Patrol Highway Account--Private/Local

29 Appropriation \$410,000

30 TOTAL APPROPRIATION \$236,457,000

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) Washington state patrol officers engaged in off-duty uniformed
34 employment providing traffic control services to the department of
35 transportation or other state agencies may use state patrol vehicles
36 for the purpose of that employment, subject to guidelines adopted by

1 the chief of the Washington state patrol. The Washington state patrol
2 shall be reimbursed for the use of the vehicle at the prevailing state
3 employee rate for mileage and hours of usage, subject to guidelines
4 developed by the chief of the Washington state patrol.

5 (2) In addition to the user fees, the patrol shall transfer into
6 the state patrol nonappropriated airplane revolving account under RCW
7 43.79.470 no more than the amount of appropriated state patrol highway
8 account and general fund funding necessary to cover the costs for the
9 patrol's use of the aircraft. The state patrol highway account and
10 general fund--state funds shall be transferred proportionately in
11 accordance with a cost allocation that differentiates between highway
12 traffic enforcement services and general policing purposes.

13 (3) The patrol shall not account for or record locally provided DUI
14 cost reimbursement payments as expenditure credits to the state patrol
15 highway account. The patrol shall report the amount of expected
16 locally provided DUI cost reimbursements to the governor and
17 transportation committees of the senate and house of representatives by
18 September 30th of each year.

19 (4) \$1,662,000 of the state patrol highway account--state
20 appropriation is provided solely for the implementation of Substitute
21 House Bill No. 1304 (commercial vehicle enforcement). If Substitute
22 House Bill No. 1304 is not enacted by June 30, 2007, the amount
23 provided in this subsection shall lapse.

24 (5) During the fiscal year 2008, the Washington state patrol shall
25 continue to perform traffic accident investigations on Thurston, Mason,
26 and Lewis county roads, and shall work with the counties to transition
27 the traffic accident investigations on county roads to the counties by
28 July 1, 2008.

29 (6) \$100,000 of the state patrol highway account--state
30 appropriation is provided solely for the implementation of Substitute
31 House Bill No. 1417 (health benefits for surviving dependents). If
32 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
33 amount provided in this subsection shall lapse.

34 (7) \$3,300,000 of the state patrol highway account--state
35 appropriation is provided solely for the salaries and benefits
36 associated with accretion in the number of troopers employed above
37 1,158 authorized commissioned troopers.

1 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
2 **INVESTIGATIVE SERVICES BUREAU**

3 State Patrol Highway Account--State Appropriation \$1,300,000

4 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--**
5 **TECHNICAL SERVICES BUREAU**

6 State Patrol Highway Account--State Appropriation \$103,157,000

7 State Patrol Highway Account--Private/Local

8 Appropriation \$2,008,000

9 TOTAL APPROPRIATION \$105,165,000

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

12 (1) The Washington state patrol shall work with the risk management
13 division in the office of financial management in compiling the
14 Washington state patrol's data for establishing the agency's risk
15 management insurance premiums to the tort claims account. The office
16 of financial management and the Washington state patrol shall submit a
17 report to the legislative transportation committees by December 31st of
18 each year on the number of claims, estimated claims to be paid, method
19 of calculation, and the adjustment in the premium.

20 (2) \$12,641,000 of the total appropriation is provided solely for
21 automobile fuel in the 2007-2009 biennium.

22 (3) \$8,678,000 of the total appropriation is provided solely for
23 the purchase of pursuit vehicles.

24 (4) \$5,254,000 of the total appropriation is provided solely for
25 vehicle repair and maintenance costs of vehicles used for highway
26 purposes.

27 (5) \$384,000 of the total appropriation is provided solely for the
28 purchase of mission vehicles used for highway purposes in the
29 commercial vehicle and traffic investigation sections of the Washington
30 state patrol.

31 (6) The Washington state patrol may submit information technology
32 related requests for funding only if the patrol has coordinated with
33 the department of information services as required by section 602 of
34 this act.

35 NEW SECTION. **Sec. 211. FOR THE WASHINGTON STATE PATROL--CRIMINAL**
36 **HISTORY AND BACKGROUND CHECKS.** In accordance with RCW 10.97.100 and

1 chapter 43.43 RCW, the Washington state patrol is authorized to perform
 2 criminal history and background checks for state and local agencies and
 3 nonprofit and other private entities and disseminate the records
 4 resulting from these activities. The Washington state patrol is
 5 required to charge a fee for these activities, for which it is the
 6 policy of the state of Washington that the fees cover the direct and
 7 indirect costs of performing the criminal history and background checks
 8 and disseminating the information. For each type of criminal history
 9 and background check and dissemination of these records, the Washington
 10 state patrol shall, as nearly as practicable, set fees at levels
 11 sufficient to cover the direct and indirect costs. Pursuant to RCW
 12 43.135.055, during the 2007-2009 fiscal biennium, the Washington state
 13 patrol may increase fees in excess of the fiscal growth factor if the
 14 increases are necessary to fully fund the cost of supervision and
 15 regulation.

16 **NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF LICENSING**

17	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
18	Motorcycle Safety Education Account--State	
19	Appropriation	\$3,905,000
20	Wildlife Account--State Appropriation	\$843,000
21	Highway Safety Account--State Appropriation	\$141,953,000
22	Highway Safety Account--Federal Appropriation	\$233,000
23	Motor Vehicle Account--State Appropriation	\$79,230,000
24	Motor Vehicle Account--Private/Local Appropriation	\$1,372,000
25	Motor Vehicle Account--Federal Appropriation	\$117,000
26	Department of Licensing Services Account--State	
27	Appropriation	\$3,540,000
28	Washington State Patrol Highway Account--State	
29	Appropriation	\$1,145,000
30	TOTAL APPROPRIATION	\$232,370,000

31 The appropriations in this section are subject to the following
 32 conditions and limitations:

33 (1) \$2,941,000 of the highway safety account--state appropriation
 34 is provided solely for the implementation of Substitute House Bill No.
 35 1267 (modifying commercial driver's license requirements). If
 36 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
 37 amount provided in this subsection shall lapse. The department shall

1 informally report to the legislature by December 1, 2008, with
2 measurable data indicating the department's progress in meeting its
3 goal of improving public safety by improving the quality of the
4 commercial driver's license testing process.

5 (2) \$716,000 of the motorcycle safety education account--state
6 appropriation is provided solely for the implementation of Senate Bill
7 No. 5273 (modifying motorcycle driver's license endorsement and
8 education provisions). If Senate Bill No. 5273 is not enacted by June
9 30, 2007, the amount provided in this subsection shall lapse.

10 (3) \$8,872,000 of the highway safety account--state appropriation
11 is provided solely for costs associated with the systems development
12 and issuance of enhanced drivers' licenses and identicards to
13 facilitate crossing the Canadian border. If Engrossed Substitute House
14 Bill No. 1289 (relating to the issuance of enhanced drivers' licenses
15 and identicards) is not enacted by June 30, 2007, the amount provided
16 in this subsection shall lapse. The department may expend funds only
17 after acceptance of the enhanced Washington state driver's license for
18 border crossing purposes by the Canadian and United States governments.
19 The department may expend funds only after prior written approval of
20 the director of financial management. Of the amount provided in this
21 subsection, up to \$1,000,000 is for a statewide educational campaign,
22 which must include coordination with existing public and private
23 entities, to inform the Washington public of the benefits of the new
24 enhanced drivers' licenses and identicards.

25 (4) \$91,000 of the motor vehicle account--state appropriation and
26 \$152,000 of the highway safety account--state appropriation are
27 provided solely for contracting with the office of the attorney general
28 to investigate criminal activity uncovered in the course of the
29 agency's licensing and regulatory activities. Funding is provided for
30 the 2008 fiscal year. The department may request funding for the 2009
31 fiscal year if the request is submitted with measurable data indicating
32 the department's progress in meeting its goal of increased prosecution
33 of illegal activity.

34 (5) \$350,000 of the highway safety account--state appropriation is
35 provided solely for the costs associated with the systems development
36 of the interface that will allow insurance carriers and their agents
37 real time, online access to drivers' records. If Substitute Senate

1 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
2 this subsection shall lapse.

3 (6) \$1,145,000 of the state patrol highway account--state
4 appropriation is provided solely for the implementation of Substitute
5 House Bill No. 1304 (modifying commercial motor vehicle carrier
6 provisions). If Substitute House Bill No. 1304 is not enacted by June
7 30, 2007, the amount provided in this subsection shall lapse.

8 (7) The department may submit information technology related
9 requests for funding only if the department has coordinated with the
10 department of information services as required by section 602 of this
11 act.

12 (8) Within the amounts appropriated in this section, the department
13 shall, working with the legislature, develop a proposal to streamline
14 title and registration statutes to specifically address apparent
15 conflicts, fee distribution, and other recommendations by the
16 department that are revenue neutral and which do not change legislative
17 policy. The department shall report the results of this review to the
18 transportation committees of the legislature by December 1, 2007.

19 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION--**
20 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

21	High-Occupancy Toll Lanes Account--State	
22	Appropriation	\$2,596,000
23	Motor Vehicle Account--State Appropriation	\$5,600,000
24	Tacoma Narrows Toll Bridge Account--State	
25	Appropriation	\$28,218,000
26	TOTAL APPROPRIATION	\$36,414,000

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

29 (1) \$5,000,000 of the motor vehicle account--state is provided
30 solely to provide a reserve for the Tacoma Narrows Bridge project.
31 This appropriation shall be held in unallotted status until the office
32 of financial management deems that revenues applicable to the Tacoma
33 Narrows Bridge project are not sufficient to cover the project's
34 expenditures.

35 (2) The department shall solicit private donations to fund
36 activities related to the opening ceremonies of the Tacoma Narrows
37 bridge project.

1 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **INFORMATION TECHNOLOGY--PROGRAM C**

3	Transportation Partnership Account--State	
4	Appropriation	\$4,556,000
5	Motor Vehicle Account--State Appropriation	\$67,613,000
6	Motor Vehicle Account--Federal Appropriation	\$1,096,000
7	Puget Sound Ferry Operations Account--State	
8	Appropriation	\$9,192,000
9	Multimodal Transportation Account--State	
10	Appropriation	\$363,000
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	\$4,000,000
13	TOTAL APPROPRIATION	\$86,820,000

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

16 (1) The department shall consult with the office of financial
17 management and the department of information services to ensure that
18 (a) the department's current and future system development is
19 consistent with the overall direction of other key state systems; and
20 (b) when possible, use or develop common statewide information systems
21 to encourage coordination and integration of information used by the
22 department and other state agencies and to avoid duplication.

23 (2) The department shall provide updated information on six project
24 milestones for all active projects, funded in part or in whole with
25 2005 transportation partnership account funds or 2003 nickel account
26 funds, on a quarterly basis in the transportation executive information
27 system (TEIS). The department shall also provide updated information
28 on six project milestones for projects, funded with preexisting funds
29 and that are agreed to by the legislature, office of financial
30 management, and the department, on a quarterly basis in TEIS.

31 (3) \$2,300,000 of the motor vehicle account--state appropriation is
32 provided solely for preliminary work needed to transition the
33 department to the state government network. In collaboration with the
34 department of information services the department shall complete an
35 inventory of the current network infrastructure, and develop an
36 implementation plan for transition to the state government network.

37 (4) \$1,000,000 of the motor vehicle account--state appropriation,
38 \$4,556,000 of the transportation partnership account--state

1 appropriation, and \$4,000,000 of the transportation 2003 account
 2 (nickel account)--state appropriation are provided solely for the
 3 department to develop a project management and reporting system which
 4 is a collection of integrated tools for capital construction project
 5 managers to use to perform all the necessary tasks associated with
 6 project management. The department shall integrate commercial off-the-
 7 shelf software with existing department systems and enhanced approaches
 8 to data management to provide web-based access for multi-level
 9 reporting and improved business workflows and reporting. Beginning
 10 September 1, 2007, and on a quarterly basis thereafter, the department
 11 shall report to the office of financial management and the
 12 transportation committees of the legislature on the status of the
 13 development and integration of the system. The first report shall
 14 include a detailed work plan for the development and integration of the
 15 system including timelines and budget milestones. At a minimum the
 16 ensuing reports shall indicate the status of the work as it compares to
 17 the work plan, any discrepancies, and proposed adjustments necessary to
 18 bring the project back on schedule or budget if necessary.

19 (5) The department may submit information technology related
 20 requests for funding only if the department has coordinated with the
 21 department of information services as required by section 602 of this
 22 act.

23 (6) \$1,600,000 of the motor vehicle account--state appropriation is
 24 provided solely for the critical application assessment implementation
 25 project. The department shall submit a progress report on the critical
 26 application assessment implementation project to the house of
 27 representatives and senate transportation committees on or before
 28 December 1, 2007, and December 1, 2008, with a final report on or
 29 before June 30, 2009.

30 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
 31 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING**
 32 Motor Vehicle Account--State Appropriation \$34,569,000

33 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
 34 **AVIATION--PROGRAM F**
 35 Aeronautics Account--State Appropriation \$6,889,000
 36 Aeronautics Account--Federal Appropriation \$2,150,000

1 Multimodal Transportation Account--State Appropriation . . . \$631,000
2 TOTAL APPROPRIATION \$9,670,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: The entire multimodal transportation
5 account--state appropriation is provided solely for the aviation
6 planning council as provided for in RCW 47.68.410.

7 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

9 Transportation Partnership Account--State
10 Appropriation \$2,422,000
11 Motor Vehicle Account--State Appropriation \$50,446,000
12 Motor Vehicle Account--Federal Appropriation \$500,000
13 Multimodal Transportation Account--State
14 Appropriation \$250,000
15 Transportation 2003 Account (Nickel Account)--State
16 Appropriation \$2,422,000
17 TOTAL APPROPRIATION \$56,040,000

18 The appropriation in this section is subject to the following
19 conditions and limitations: \$2,422,000 of the transportation
20 partnership account appropriation and \$2,422,000 of the transportation
21 2003 account (nickel account)--state appropriation are provided solely
22 for consultant contracts to assist the department in the delivery of
23 the capital construction program by identifying improvements to program
24 delivery, program management, project controls, program and project
25 monitoring, forecasting, and reporting. The consultants shall work
26 with the department of information services in the development of the
27 project management and reporting system.

28 The consultants shall provide an updated copy of the capital
29 construction strategic plan to the legislative transportation
30 committees and to the office of financial management on June 30, 2008,
31 and each year thereafter.

32 The department shall coordinate its work with other budget and
33 performance efforts, including Roadmap, the findings of the critical
34 applications modernization and integration strategies study, including
35 proposed next steps, and the priorities of government process.

36 The department shall report to the transportation committees of the
37 house of representatives and senate, and the office of financial

1 management, by December 31, 2007, on the implementation status of
2 recommended capital budgeting and reporting options. Options must
3 include: Reporting against legislatively-established project
4 identification numbers and may include recommendations for reporting
5 against other appropriate project groupings; measures for reporting
6 progress, timeliness, and cost which create an incentive for the
7 department to manage effectively and report its progress in a
8 transparent manner; and criteria and process for transfers of funds
9 among projects.

10 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **ECONOMIC PARTNERSHIPS--PROGRAM K**

12	Motor Vehicle Account--State Appropriation	\$1,151,000
13	Multimodal Transportation Account--State Appropriation	\$300,000
14	TOTAL APPROPRIATION	\$1,451,000

15 The appropriation in this section is subject to the following
16 conditions and limitations:

17 (1) \$300,000 of the multimodal account--state appropriation is
18 provided solely for the department to hire a consultant to develop a
19 plan for codevelopment and public-private partnership opportunities at
20 public ferry terminals.

21 (2) The department shall conduct an analysis and, if determined to
22 be feasible, initiate requests for proposals involving the distribution
23 of alternative fuels along state department of transportation
24 rights-of-way.

25 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **HIGHWAY MAINTENANCE--PROGRAM M**

27	Motor Vehicle Account--State Appropriation	\$321,888,000
28	Motor Vehicle Account--Federal Appropriation	\$2,000,000
29	Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
30	TOTAL APPROPRIATION	\$329,685,000

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) If portions of the appropriations in this section are required
34 to fund maintenance work resulting from major disasters not covered by
35 federal emergency funds such as fire, flooding, and major slides,

1 supplemental appropriations must be requested to restore state funding
2 for ongoing maintenance activities.

3 (2) The department shall request an unanticipated receipt for any
4 federal moneys received for emergency snow and ice removal and shall
5 place an equal amount of the motor vehicle account--state into
6 unallotted status. This exchange shall not affect the amount of
7 funding available for snow and ice removal.

8 (3) The department shall request an unanticipated receipt for any
9 private or local funds received for reimbursements of third party
10 damages that are in excess of the motor vehicle account--private/local
11 appropriation.

12 (4) \$1,500,000 of the motor vehicle account--federal appropriation
13 is provided for unanticipated federal funds that may be received during
14 the 2007-09 biennium. Upon receipt of the funds, the department shall
15 provide a report on the use of the funds to the transportation
16 committees of the legislature and the office of financial management.

17 (5) Funding is provided for maintenance on the state system to
18 deliver service level targets as listed in LEAP Transportation Document
19 2007-C, as developed April 20, 2007. In delivering the program and
20 aiming for these targets, the department should concentrate on the
21 following areas:

22 (a) Eliminating the number of activities delivered in the "f" level
23 of service at the region level; and

24 (b) Evaluating, analyzing, and potentially redistributing resources
25 within and among regions to provide greater consistency in delivering
26 the program statewide and in achieving overall level of service
27 targets.

28 (6) The department may work with the department of corrections to
29 utilize corrections crews for the purposes of litter pickup on state
30 highways.

31 (7) \$650,000 of the motor vehicle account--state appropriation is
32 provided solely for increased asphalt costs.

33 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

35	Motor Vehicle Account--State Appropriation	\$52,040,000
36	Motor Vehicle Account--Federal Appropriation	\$2,050,000
37	Motor Vehicle Account--Private/Local Appropriation	\$127,000

1 TOTAL APPROPRIATION \$54,217,000

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

4 (1) \$654,000 of the motor vehicle account--state appropriation is
5 provided solely for the department to time state-owned and operated
6 traffic signals. This funding may also be used to program incident,
7 emergency, or special event signal timing plans.

8 (2) \$346,000 of the motor vehicle account--state appropriation is
9 provided solely for the department to implement a pilot tow truck
10 incentive program. The department may provide incentive payments to
11 towing companies that meet clearance goals on accidents that involve
12 heavy trucks.

13 (3) \$6,800,000 of the motor vehicle account--state appropriation is
14 provided solely for low-cost enhancements. The department shall give
15 priority to low-cost enhancement projects that improve safety or
16 provide congestion relief. The department shall prioritize low-cost
17 enhancement projects on a statewide rather than regional basis. By
18 January 1, 2008, and January 1, 2009, the department shall provide a
19 report to the legislature listing all low-cost enhancement projects
20 prioritized on a statewide rather than regional basis completed in the
21 prior year.

22 (4) The department, in consultation with the Washington state
23 patrol, may conduct a pilot program for the patrol to issue infractions
24 based on information from automated traffic safety cameras in roadway
25 construction zones on state highways when workers are present.

26 (a) In order to ensure adequate time in the 2007-09 biennium to
27 evaluate the effectiveness of the pilot program, any projects
28 authorized by the department must be authorized by December 31, 2007.

29 (b) The department shall use the following guidelines to administer
30 the program:

31 (i) Automated traffic safety cameras may only take pictures of the
32 vehicle and vehicle license plate and only while an infraction is
33 occurring. The picture must not reveal the face of the driver or of
34 passengers in the vehicle;

35 (ii) The department shall plainly mark the locations where the
36 automated traffic safety cameras are used by placing signs on locations
37 that clearly indicate to a driver that he or she is entering a roadway

1 construction zone where traffic laws are enforced by an automated
2 traffic safety camera;

3 (iii) Notices of infractions must be mailed to the registered owner
4 of a vehicle within fourteen days of the infraction occurring;

5 (iv) The owner of the vehicle is not responsible for the violation
6 if the owner of the vehicle, within fourteen days of receiving
7 notification of the violation, mails to the patrol, a declaration under
8 penalty of perjury, stating that the vehicle involved was, at the time,
9 stolen or in the care, custody, or control of some person other than
10 the registered owner, or any other extenuating circumstances;

11 (v) For purposes of the 2007-09 biennium pilot project, infractions
12 detected through the use of automated traffic safety cameras are not
13 part of the registered owner's driving record under RCW 46.52.101 and
14 46.52.120. Additionally, infractions generated by the use of automated
15 traffic safety cameras must be processed in the same manner as parking
16 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
17 46.16.216, and 46.20.270(3). However, the amount of the fine issued
18 for an infraction generated through the use of an automated traffic
19 safety camera is one hundred thirty-seven dollars. The court shall
20 remit thirty-two dollars of the fine to the state treasurer for deposit
21 into the state patrol highway account;

22 (vi) If a notice of infraction is sent to the registered owner and
23 the registered owner is a rental car business, the infraction will be
24 dismissed against the business if it mails to the patrol, within
25 fourteen days of receiving the notice, a declaration under penalty of
26 perjury of the name and known mailing address of the individual driving
27 or renting the vehicle when the infraction occurred. If the business
28 is unable to determine who was driving or renting the vehicle at the
29 time the infraction occurred, the business must sign a declaration
30 under penalty of perjury to this effect. The declaration must be
31 mailed to the patrol within fourteen days of receiving the notice of
32 traffic infraction. Timely mailing of this declaration to the issuing
33 agency relieves a rental car business of any liability under this
34 section for the notice of infraction. A declaration form suitable for
35 this purpose must be included with each automated traffic infraction
36 notice issued, along with instructions for its completion and use; and

37 (vii) By June 30, 2009, the department shall provide a report to

1 the legislature regarding the use, public acceptance, outcomes, and
2 other relevant issues regarding the pilot project.

3 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

5	Motor Vehicle Account--State Appropriation	\$28,215,000
6	Motor Vehicle Account--Federal Appropriation	\$30,000
7	Puget Sound Ferry Operations Account--State	
8	Appropriation	\$1,321,000
9	Multimodal Transportation Account--State	
10	Appropriation	\$1,223,000
11	TOTAL APPROPRIATION	\$30,789,000

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

14 (1) The department shall work with staffs from the legislative
15 evaluation and accountability program committee, the transportation
16 committees of the legislature, and the office of financial management
17 on developing a new capital budgeting system to meet identified
18 information needs.

19 (2) \$250,000 of the multimodal account--state appropriation is
20 provided solely for implementing a wounded combat veteran's internship
21 program, administered by the department. The department shall seek
22 federal funding to support the continuation of this program.

23 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

25	Motor Vehicle Account--State Appropriation	\$30,698,000
26	Motor Vehicle Account--Federal Appropriation	\$19,163,000
27	Multimodal Transportation Account--State	
28	Appropriation	\$1,029,000
29	Multimodal Transportation Account--Federal	
30	Appropriation	\$2,809,000
31	Multimodal Transportation Account--Private/Local	
32	Appropriation	\$100,000
33	TOTAL APPROPRIATION	\$53,799,000

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

1 (1) \$3,900,000 of the motor vehicle account--state appropriation is
2 provided solely for the costs of the regional transportation investment
3 district (RTID) and department of transportation project oversight.
4 The department shall provide support from its urban corridors region to
5 assist in preparing project costs, expenditure plans, and modeling.
6 The department shall not deduct a management reserve, nor charge
7 management or overhead fees. These funds, including those expended
8 since 2003, are provided as a loan to the RTID and shall be repaid to
9 the state within one year following formation of the RTID. \$2,391,000
10 of the amount provided under this subsection shall lapse, effective
11 January 1, 2008, if voters fail to approve formation of the RTID at the
12 2007 general election, as determined by the certification of the
13 election results.

14 (2) \$300,000 of the multimodal transportation account--state
15 appropriation is provided solely for a transportation demand management
16 program, developed by the Whatcom council of governments, to further
17 reduce drive-alone trips and maximize the use of sustainable
18 transportation choices. The community-based program must focus on all
19 trips, not only commute trips, by providing education, assistance, and
20 incentives to four target audiences: (a) Large work sites; (b)
21 employees of businesses in downtown areas; (c) school children; and (d)
22 residents of Bellingham.

23 (3) \$320,000 of the motor vehicle account--state appropriation and
24 \$128,000 of the motor vehicle account--federal appropriation are
25 provided solely for development of a freight database to help guide
26 freight investment decisions and track project effectiveness. The
27 database will be based on truck movement tracked through geographic
28 information system technology. TransNow will contribute an additional
29 \$192,000 in federal funds which are not appropriated in the
30 transportation budget. The department shall work with the freight
31 mobility strategic investment board to implement this project.

32 (4) By December 1, 2008, the department shall require confirmation
33 from jurisdictions that plan under the growth management act, chapter
34 36.70A RCW, and that receive state transportation funding under this
35 act, that the jurisdictions have adopted standards for access
36 permitting on state highways that meet or exceed department standards
37 in accordance with RCW 47.50.030. The objective of this subsection is
38 to encourage local governments, through the receipt of state

1 transportation funding, to adhere to best practices in access control
2 applicable to development activity significantly impacting state
3 transportation facilities. By January 1, 2009, the department shall
4 submit a report to the appropriate committees of the legislature
5 detailing the progress of the local jurisdictions in adopting the
6 highway access permitting standards.

7 (5) \$150,000 of the motor vehicle account--federal appropriation is
8 provided solely for the costs to develop an electronic map-based
9 computer application that will enable law enforcement officers and
10 others to more easily locate collisions and other incidents in the
11 field.

12 (6) The department shall add a position within the freight systems
13 division to provide expertise regarding the trucking aspects of the
14 state's freight system.

15 (7) The department shall evaluate the feasibility of developing a
16 freight corridor bypass from Everett to Gold Bar on US 2, including a
17 connection to SR 522. US 2 is an important freight corridor, and is an
18 alternative route for I-90. Congestion, safety issues, and flooding
19 concerns have all contributed to the need for major improvements to the
20 corridor. The evaluation shall consider the use of toll lanes for the
21 project. The department must report to the transportation committees
22 of the legislature by December 1, 2007, on its analysis and
23 recommendations regarding the benefit of a freight corridor and the
24 potential use of freight toll lanes to improve safety and congestion in
25 the corridor.

26 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
27 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

28	Motor Vehicle Account--State Appropriation	\$66,342,000
29	Motor Vehicle Account--Federal Appropriation	\$400,000
30	Multimodal Transportation Account--State	
31	Appropriation	\$259,000
32	TOTAL APPROPRIATION	\$67,001,000

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

35 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
36 provided solely for the liabilities attributable to the department of
37 transportation. The office of financial management must provide a

1 detailed accounting of the revenues and expenditures of the self-
2 insurance fund to the transportation committees of the legislature on
3 December 31st and June 30th of each year.

4 (2) Payments in this section represent charges from other state
5 agencies to the department of transportation.

6	(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT	
7	DIVISION OF RISK MANAGEMENT FEES	\$1,520,000
8	(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE	
9	AUDITOR	\$1,150,000
10	(c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL	
11	ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED	
12	MAIL SERVICES	\$4,157,000
13	(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF	
14	PERSONNEL	\$4,033,000
15	(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY	
16	PREMIUMS AND ADMINISTRATION	\$36,665,000
17	(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL	
18	ADMINISTRATION CAPITAL PROJECTS SURCHARGE	\$1,838,000
19	(g) FOR ARCHIVES AND RECORDS MANAGEMENT	\$647,000
20	(h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS	
21	ENTERPRISES	\$1,070,000
22	(i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY	
23	THE OFFICE OF FINANCIAL MANAGEMENT	\$930,000
24	(j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT	
25	OF INFORMATION SERVICES	\$1,138,000
26	(k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
27	GENERAL'S OFFICE	\$8,859,000
28	(l) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY	
29	GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT	
30	LITIGATION	\$158,000

31 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **PUBLIC TRANSPORTATION--PROGRAM V**

33	Regional Mobility Grant Program Account--State	
34	Appropriation	\$40,000,000
35	Multimodal Transportation Account--State	
36	Appropriation	\$85,202,000
37	Multimodal Transportation Account--Federal	

1	Appropriation	\$2,582,000
2	Multimodal Transportation Account--Private/Local	
3	Appropriation	\$291,000
4	TOTAL APPROPRIATION	\$128,075,000

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

7 (1) \$25,000,000 of the multimodal transportation account--state
8 appropriation is provided solely for a grant program for special needs
9 transportation provided by transit agencies and nonprofit providers of
10 transportation.

11 (a) \$5,500,000 of the amount provided in this subsection is
12 provided solely for grants to nonprofit providers of special needs
13 transportation. Grants for nonprofit providers shall be based on need,
14 including the availability of other providers of service in the area,
15 efforts to coordinate trips among providers and riders, and the cost
16 effectiveness of trips provided.

17 (b) \$19,500,000 of the amount provided in this subsection is
18 provided solely for grants to transit agencies to transport persons
19 with special transportation needs. To receive a grant, the transit
20 agency must have a maintenance of effort for special needs
21 transportation that is no less than the previous year's maintenance of
22 effort for special needs transportation. Grants for transit agencies
23 shall be prorated based on the amount expended for demand response
24 service and route deviated service in calendar year 2005 as reported in
25 the "Summary of Public Transportation - 2005" published by the
26 department of transportation. No transit agency may receive more than
27 thirty percent of these distributions.

28 (2) Funds are provided for the rural mobility grant program as
29 follows:

30 (a) \$8,500,000 of the multimodal transportation account--state
31 appropriation is provided solely for grants for those transit systems
32 serving small cities and rural areas as identified in the Summary of
33 Public Transportation - 2005 published by the department of
34 transportation. Noncompetitive grants must be distributed to the
35 transit systems serving small cities and rural areas in a manner
36 similar to past disparity equalization programs.

37 (b) \$8,500,000 of the multimodal transportation account--state

1 appropriation is provided solely to providers of rural mobility service
2 in areas not served or underserved by transit agencies through a
3 competitive grant process.

4 (3) \$8,600,000 of the multimodal transportation account--state
5 appropriation is provided solely for a vanpool grant program for: (a)
6 Public transit agencies to add vanpools; and (b) incentives for
7 employers to increase employee vanpool use. The grant program for
8 public transit agencies will cover capital costs only; no operating
9 costs for public transit agencies are eligible for funding under this
10 grant program. No additional employees may be hired from the funds
11 provided in this section for the vanpool grant program, and supplanting
12 of transit funds currently funding vanpools is not allowed. Additional
13 criteria for selecting grants must include leveraging funds other than
14 state funds.

15 (4) \$40,000,000 of the regional mobility grant program account--
16 state appropriation is provided solely for the regional mobility grant
17 projects identified on the LEAP Transportation Document 2007-B as
18 developed April 20, 2007. The department shall review all projects
19 receiving grant awards under this program at least semiannually to
20 determine whether the projects are making satisfactory progress. Any
21 project that has been awarded funds, but does not report activity on
22 the project within one year of the grant award, shall be reviewed by
23 the department to determine whether the grant should be terminated.
24 The department shall promptly close out grants when projects have been
25 completed, and any remaining funds available to the office of transit
26 mobility shall be used only to fund projects on the LEAP Transportation
27 Document 2007-B as developed April 20, 2007. The department shall
28 provide annual status reports on December 15, 2007, and December 15,
29 2008, to the office of financial management and the transportation
30 committees of the legislature regarding the projects receiving the
31 grants.

32 (5) \$17,168,087 of the multimodal transportation account--state
33 appropriation is reappropriated and provided solely for the regional
34 mobility grant projects identified on the LEAP Transportation Document
35 2006-D, regional mobility grant program projects as developed March 8,
36 2006. The department shall continue to review all projects receiving
37 grant awards under this program at least semiannually to determine
38 whether the projects are making satisfactory progress. The department

1 shall promptly close out grants when projects have been completed, and
2 any remaining funds available to the office of transit mobility shall
3 be used only to fund projects on the LEAP Transportation Document
4 2007-B as developed April 20, 2007, or the LEAP Transportation Document
5 2006-D as developed March 8, 2006.

6 (6) \$200,000 of the multimodal transportation account--state
7 appropriation is provided solely for the department to study and then
8 develop pilot programs aimed at addressing commute trip reduction
9 strategies for K-12 students and for college and university students.
10 The department shall submit to the legislature by January 1, 2009, a
11 summary of the program results and recommendations for future student
12 commute trip reduction strategies. The pilot programs are described as
13 follows:

14 (a) The department shall consider approaches, including mobility
15 education, to reducing and removing traffic congestion in front of
16 schools by changing travel behavior for elementary, middle, and high
17 school students and their parents; and

18 (b) The department shall design a program that includes student
19 employment options as part of the pilot program applicable to college
20 and university students.

21 (7) \$2,400,000 of the multimodal account--state appropriation is
22 provided solely for establishing growth and transportation efficiency
23 centers (GTEC). Funds are appropriated for one time only. The
24 department shall provide in its annual report to the legislature an
25 evaluation of the GTEC concept and recommendations on future funding
26 levels.

27 (8) \$381,000 of the multimodal transportation account--state
28 appropriation is provided solely for the implementation of Substitute
29 House Bill No. 1694 (reauthorizing the agency council on coordinated
30 transportation). If Substitute House Bill No. 1694 is not enacted by
31 June 30, 2007, the amount provided in this subsection shall lapse.

32 (9) \$136,000 of the multimodal transportation account--
33 private/local appropriation is provided solely for the implementation
34 of Senate Bill No. 5084 (updating rail transit safety plans). If
35 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
36 provided in this subsection shall lapse.

37 (10) \$60,000 of the multimodal transportation account--state
38 appropriation is provided solely for low-income car ownership programs.

1 The department shall collaborate with interested regional
2 transportation planning organizations and metropolitan planning
3 organizations to determine the effectiveness of the programs at
4 providing transportation solutions for low-income persons who depend
5 upon cars to travel to their places of employment.

6 (11) \$1,000,000 of the multimodal transportation account--state
7 appropriation is provided solely for additional funding for the trip
8 reduction performance program, including telework enhancement projects.
9 Funds are appropriated for one time only.

10 (12) \$2,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for the tri-county connection service
12 for Island, Skagit, and Whatcom transit agencies.

13 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
14 **MARINE--PROGRAM X**

15	Puget Sound Ferry Operations Account--State	
16	Appropriation	\$412,189,000
17	Multimodal Transportation Account--State	
18	Appropriation	\$1,830,000
19	TOTAL APPROPRIATION	\$414,019,000

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) \$79,191,000 of the Puget Sound ferry operations--state
23 appropriation is provided solely for auto ferry vessel operating fuel
24 in the 2007-2009 biennium.

25 (2) The Washington state ferries must work with the department's
26 information technology division to implement an electronic fare system,
27 including the integration of the regional fare coordination system
28 (smart card). Each December and June, semiannual updates must be
29 provided to the transportation committees of the legislature concerning
30 the status of implementing and completing this project, with updates
31 concluding the first December after full project implementation.

32 (3) The Washington state ferries shall continue to provide service
33 to Sidney, British Columbia.

34 (4) \$1,830,000 of the multimodal transportation account--state
35 appropriation is provided solely to provide passenger-only ferry
36 service. The ferry system shall continue passenger-only ferry service
37 from Vashon Island to Seattle through June 30, 2008. Ferry system

1 management shall continue to implement its agreement with the
2 inlandboatmen's union of the pacific and the international organization
3 of masters, mates and pilots providing for part-time passenger-only
4 work schedules.

5 (5) \$932,000 of the Puget Sound ferries operations account--state
6 appropriation is provided solely for compliance with department of
7 ecology rules regarding the transfer of oil on or near state waters.
8 Funding for compliance with on-board fueling rules is provided for the
9 2008 fiscal year. The department may request funding for the 2009
10 fiscal year if the request is submitted with an alternative compliance
11 plan filed with the department of ecology, as allowed by rule.

12 (6) \$1,116,000 of the Puget Sound ferry operations account--state
13 appropriation is provided solely for ferry security operations
14 necessary to comply with the ferry security plan submitted by the
15 Washington state ferry system to the United States coast guard. The
16 department shall track security costs and expenditures. Ferry security
17 operations costs shall not be included as part of the operational costs
18 that are used to calculate farebox recovery.

19 (7) \$378,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely to meet the United States coast guard
21 requirements for appropriate rest hours between shifts for vessel crews
22 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

23 (8) \$694,000 of the Puget Sound ferries operating account--state
24 appropriation is provided solely for implementing Engrossed Substitute
25 House Bill No. 2358 as follows:

26 (a) The department shall allow the joint transportation committee
27 workgroup established in section 205(1) of this act to participate in
28 the following elements as they are described in Engrossed Substitute
29 House Bill No. 2358:

30 (i) Development and implementation of a survey of ferry customers;

31 (ii) Analysis and reestablishment of vehicle level of service
32 standards. In reestablishing the standards, consideration shall be
33 given to whether boat wait is the appropriate measure. The level of
34 service standard shall be reestablished in conjunction with or after
35 the survey has been implemented;

36 (iii) Development of pricing policy proposals. In developing these
37 policies, the policies, in effect on some routes, of collecting fares
38 in only one direction shall be evaluated to determine whether one-way

1 fare pricing best serves the ferry system. The pricing policy
2 proposals must be developed in conjunction with or after the survey has
3 been implemented;

4 (iv) Development of operational strategies. The operational
5 strategies shall be reestablished in conjunction with the survey or
6 after the survey has been implemented;

7 (v) Development of terminal design standards. The terminal design
8 standards shall be finalized after the provisions of subsections (a)(i)
9 through (iv) and subsection (b) of this section have been developed and
10 reviewed by the joint transportation committee; and

11 (vi) Development of a capital plan. The capital plan shall be
12 finalized after terminal design standards have been developed by the
13 department and reviewed by the joint transportation committee.

14 (b) The department shall develop a ridership demand forecast that
15 shall be used in the development of a long-range capital plan. If more
16 than one forecast is developed they must be reconciled.

17 (c) The department shall update the life cycle cost model to meet
18 the requirements of Engrossed Substitute House Bill No. 2358 no later
19 than August 1, 2007.

20 (d) The department shall develop a cost allocation methodology
21 proposal to meet the requirements described in Engrossed Substitute
22 House Bill No. 2358. The proposal shall be completed and presented to
23 the joint transportation committee no later than August 1, 2007.

24 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **RAIL--PROGRAM Y--OPERATING**

26 Multimodal Transportation Account--State Appropriation . . \$37,034,000

27 The appropriation in this section is subject to the following
28 conditions and limitations:

29 (1) The department shall publish a final long-range plan for Amtrak
30 Cascades by September 30, 2007. By December 31, 2008, the department
31 shall submit to the office of financial management and the
32 transportation committees of the legislature a midrange plan for Amtrak
33 Cascades that identifies specific steps the department would propose to
34 achieve additional service beyond current levels.

35 (2)(a) \$29,091,000 of the multimodal transportation account--state
36 appropriation is provided solely for the Amtrak service contract and
37 Talgo maintenance contract associated with providing and maintaining

1 the state-supported passenger rail service. Upon completion of the
2 rail platform project in the city of Stanwood, the department shall
3 provide daily Amtrak Cascades service to the city.

4 (b) The department shall negotiate with Amtrak and Burlington
5 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
6 Bellingham at a significantly earlier hour.

7 (c) When Amtrak Cascades expands the second roundtrip between
8 Vancouver, B.C. and Seattle, the department shall negotiate for the
9 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

10 (3) No Amtrak Cascade runs may be eliminated.

11 (4) \$40,000 of the multimodal transportation account--state
12 appropriation is provided solely for the produce railcar program. The
13 department is encouraged to implement the produce railcar program by
14 maximizing private investment.

15 (5) The department shall begin planning for a third roundtrip
16 Cascades train between Seattle and Vancouver, B.C. by 2010.

17 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
18 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

19	Motor Vehicle Account--State Appropriation	\$8,630,000
20	Motor Vehicle Account--Federal Appropriation	\$2,567,000
21	TOTAL APPROPRIATION	\$11,197,000

22 **TRANSPORTATION AGENCIES--CAPITAL**

23 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

24 State Patrol Highway Account--State Appropriation \$2,934,000

25 The appropriation in this section is subject to the following
26 conditions and limitations:

27 (1) \$2,200,000 is provided solely for the following minor works
28 projects: \$195,000 for HVAC renovation at the Chehalis, Kelso,
29 Okanogan, and Ellensburg detachments; \$50,000 for roof replacements at
30 the Toppenish, SeaTac NB, SeaTac SB, and Plymouth weigh stations;
31 \$35,000 for replacement of the Shelton academy roof drain and
32 downspout; \$100,000 for parking lot repairs at Okanogan, Goldendale,
33 Ritzville, and Moses Lake detachment offices and the Wenatchee 6
34 headquarters; \$290,000 for replacement of the weigh station scales at
35 Brady and Artic; \$152,000 for carpet replacement at the Ritzville,

1 Moses Lake, Morton, Kelso, Chehalis, Walla Walla, Kennewick, South
2 King, and Hoquiam detachment offices; \$185,000 for HVAC replacement at
3 Tacoma and Marysville detachment offices; \$330,000 for repair and
4 upgrade of the Bellevue tower; \$473,000 for replacement of twenty-one
5 communication site underground fuel tanks; \$240,000 for replacement of
6 communication site buildings at Lind, Scoggans Mountain, and Lewiston
7 Ridge; and \$150,000 for unforeseen emergency repairs.

8 (2) \$687,000 is provided solely for design and construction of
9 regional waste water treatment systems for the Shelton academy of the
10 Washington state patrol.

11 (3) \$47,000 is provided solely for predesign of a single,
12 consolidated aviation facility at the Olympia airport to house the
13 fixed wing operations of the Washington state patrol, the department of
14 natural resources (DNR), and the department of fish and wildlife, and
15 the rotary operations of the DNR.

16 **NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

17 Rural Arterial Trust Account--State Appropriation	\$64,000,000
18 Motor Vehicle Account--State Appropriation	\$2,368,000
19 County Arterial Preservation Account--State	
20 Appropriation	\$32,861,000
21 TOTAL APPROPRIATION	\$99,229,000

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$2,069,000 of the motor vehicle account--
24 state appropriation may be used for county ferries. The board shall
25 review the requests for county ferry funding in consideration with
26 other projects funded from the board. If the board determines these
27 projects are a priority over the projects in the rural arterial and
28 county arterial preservation grant programs, then they may provide
29 funding for these requests.

30 **NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

31 Small City Pavement and Sidewalk Account--State	
32 Appropriation	\$4,500,000
33 Urban Arterial Trust Account--State Appropriation	\$129,600,000
34 Transportation Improvement Account--State	
35 Appropriation	\$90,643,000
36 TOTAL APPROPRIATION	\$224,743,000

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

3 (1) The transportation improvement account--state appropriation
4 includes up to \$7,143,000 in proceeds from the sale of bonds authorized
5 in RCW 47.26.500.

6 (2) The urban arterial trust account--state appropriation includes
7 up to \$15,000,000 in proceeds from the sale of bonds authorized in
8 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
9 not enacted by June 30, 2007, the amount provided in this subsection
10 shall lapse.

11 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--**
12 **PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

13 Motor Vehicle Account--State Appropriation \$6,202,000

14 The appropriation in this section is subject to the following
15 conditions and limitations:

16 (1) \$584,000 of the motor vehicle account--state appropriation is
17 for statewide administration.

18 (2) \$750,000 of the motor vehicle account--state appropriation is
19 for regional minor projects.

20 (3) \$568,000 of the motor vehicle account--state appropriation is
21 for the Olympic region headquarters property payments.

22 (4) By September 1, 2007, the department shall submit to the
23 transportation committees of the legislature predesign plans, developed
24 using the office of financial management's predesign process, for all
25 facility replacement projects to be proposed in the facilities 2008
26 budget proposal.

27 (5) \$1,600,000 of the motor vehicle account--state appropriation is
28 for site acquisition for the Tri-cities area maintenance facility.

29 (6) \$2,700,000 of the motor vehicle account--state appropriation is
30 for site acquisition for the Vancouver light industrial facility.

31 (7) The department shall work with the office of financial
32 management and staff of the transportation committees of the
33 legislature to develop a statewide inventory of all department-owned
34 surplus property that is suitable for development for department
35 facilities or that should be sold. By December 1, 2008, the department
36 shall report to the joint transportation committee on the findings of
37 this study.

1 NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--
2 IMPROVEMENTS--PROGRAM I

3 Transportation Partnership Account--State
4 Appropriation \$1,226,516,000
5 Motor Vehicle Account--State Appropriation \$82,045,000
6 Motor Vehicle Account--Federal Appropriation \$404,090,000
7 Motor Vehicle Account--Private/Local
8 Appropriation \$49,157,000
9 Special Category C Account--State Appropriation \$29,968,000
10 Tacoma Narrows Toll Bridge Account--State
11 Appropriation \$142,484,000
12 Transportation 2003 Account (Nickel Account)--State
13 Appropriation \$1,100,746,000
14 Freight Congestion Relief Account--State
15 Appropriation \$40,000,000
16 TOTAL APPROPRIATION \$3,075,006,000

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) The entire transportation 2003 account (nickel account)
20 appropriation and the entire transportation partnership account
21 appropriation are provided solely for the projects and activities as
22 listed by fund, project, and amount in LEAP Transportation Document
23 2007-1, Highway Improvement Program (I) as developed April 20, 2007.
24 However, limited transfers of specific line-item project appropriations
25 may occur between projects for those amounts listed subject to the
26 conditions and limitations in section 603 of this act.

27 (2) The department shall not commence construction on any part of
28 the state route number 520 bridge replacement and HOV project until a
29 record of decision has been reached providing reasonable assurance that
30 project impacts will be avoided, minimized, or mitigated as much as
31 practicable to protect against further adverse impacts on neighborhood
32 environmental quality as a result of repairs and improvements made to
33 the state route 520 bridge and its connecting roadways, and that any
34 such impacts will be addressed through engineering design choices,
35 mitigation measures, or a combination of both. The requirements of
36 this section shall not apply to off-site pontoon construction
37 supporting the state route number 520 bridge replacement and HOV
38 project.

1 (3) Within the amounts provided in this section, \$1,991,000 of the
2 transportation partnership account--state appropriation, \$1,656,000 of
3 the motor vehicle account--federal appropriation, and \$8,343,000 of the
4 transportation 2003 account (nickel account)--state appropriation are
5 for project 109040T as identified in the LEAP transportation document
6 in subsection (1) of this section: I-90/Two Way Transit-Transit and
7 HOV Improvements - Stage 1. Expenditure of the funds on construction
8 is contingent upon revising the access plan for Mercer Island traffic
9 such that Mercer Island traffic will have access to the outer roadway
10 high occupancy vehicle (HOV) lanes during the period of operation of
11 such lanes following the removal of Mercer Island traffic from the
12 center roadway and prior to conversion of the outer roadway HOV lanes
13 to high occupancy toll (HOT) lanes. Sound transit may only have access
14 to the center lanes when alternative R8A is complete.

15 (4) The Tacoma Narrows toll bridge account--state appropriation
16 includes up to \$131,016,000 in proceeds from the sale of bonds
17 authorized by RCW 47.10.843.

18 (5) The funding described in this section includes \$8,095,541 of
19 the transportation 2003 account (nickel account)--state appropriation
20 and \$237,241 of the motor vehicle account--private/local appropriation,
21 which are for the SR 519 project. The total project is expected to
22 cost no more than \$74,400,000 including \$11,950,000 in contributions
23 from project partners.

24 (6) To promote and support community-specific noise reduction
25 solutions, the department shall:

26 (a) Prepare a draft directive that establishes how each community's
27 priorities and concerns may be identified and addressed in order to
28 allow consideration of a community's preferred methods of advanced
29 visual shielding and aesthetic screening, for the purpose of improving
30 the noise environment of major state roadway projects in locations that
31 do not meet the criteria for standard noise barriers. The intent is
32 for these provisions to be supportable by existing project budgets.
33 The directive shall also include direction on the coordination and
34 selection of visual and aesthetic options with local communities. The
35 draft directive shall be provided to the standing transportation
36 committees of the legislature by January 2008; and

37 (b) Pilot the draft directive established in (a) of this subsection
38 in two locations along major state roadways. If practicable, the

1 department should begin work on the pilot projects while the directive
2 is being developed. One pilot project shall be located in Clark county
3 on a significant capacity improvement project. The second pilot
4 project shall be located in urban King county, which shall be on a
5 corridor highway project through mixed land use areas that is nearing
6 or under construction. The department shall provide a written report
7 to the standing transportation committees of the legislature on the
8 findings of the Clark county pilot project by January 2009, and the
9 King county pilot project by January 2010. Based on results of the
10 pilot projects, the department shall update its design manual,
11 environmental procedures, or other appropriate documents to incorporate
12 the directive.

13 (7) Funding allocated for mitigation costs is provided solely for
14 the purpose of project impact mitigation, and shall not be used to
15 develop or otherwise participate in the environmental assessment
16 process.

17 (8) If the "Green Highway" provisions of Engrossed Second
18 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
19 department shall erect signs on the interstate highways included in
20 those provisions noting that these interstates have been designated
21 "Washington Green Highways."

22 (9) If on the I-405/I-90 to SE 8th Street Widening project the
23 department finds that there is an alternative investment to preserve
24 reliable rail accessibility to major manufacturing sites within the
25 I-405 corridor that are less expensive than replacing the Wilburton
26 Tunnel, the department may enter into the necessary agreements to
27 implement that alternative provided that costs remain within the
28 approved project budget.

29 (10) The department should consider using mitigation banking on
30 appropriate projects whenever possible, without increasing the cost to
31 projects. The department should consider using the advanced
32 environmental mitigation revolving account (AEMRA) for corridor and
33 watershed based mitigation opportunities, in addition to project
34 specific mitigation. However, the department shall not use
35 agricultural lands of long-term commercial significance, as that term
36 is used under chapter 36.70A RCW, for mitigation banking.

37 (11) The department shall apply for surface transportation program
38 (STP) enhancement funds to be expended in lieu of or in addition to

1 state funds for eligible costs of projects in Programs I and P,
2 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
3 Way Viaduct projects.

4 (12) \$250,000 of the motor vehicle account--state appropriation is
5 provided solely for an inland pacific hub study to develop an inland
6 corridor for the movement of freight and goods to and through eastern
7 Washington; and \$500,000 of the motor vehicle account--state
8 appropriation is provided solely for the SR3/SR16 corridor study to
9 plan and prioritize state and local improvements needed over the next
10 10-20 years to support safety, capacity development, and economic
11 development within the corridor.

12 (13) The department shall, on a quarterly basis beginning July 1,
13 2007, provide to the office of financial management and the legislature
14 reports providing the status on each active project funded in part or
15 whole by the transportation 2003 account (nickel account) or the
16 transportation partnership account. Funding provided at a programmatic
17 level for transportation partnership account and transportation 2003
18 account (nickel account) projects relating to bridge rail, guard rail,
19 fish passage barrier removal, and roadside safety projects should be
20 reported on a programmatic basis. Projects within this programmatic
21 level funding should be completed on a priority basis and scoped to be
22 completed within the current programmatic budget. Other projects may
23 be reported on a programmatic basis. The department shall work with
24 the office of financial management and the transportation committees of
25 the legislature to agree on report formatting and elements. Elements
26 shall include, but not be limited to, project scope, schedule, and
27 costs. The department shall also provide the information required
28 under this subsection on a quarterly basis via the transportation
29 executive information systems (TEIS).

30 (14) The department shall apply for the competitive portion of
31 federal transit administration funds for eligible transit-related costs
32 of the SR 520 bridge replacement and HOV project. The federal funds
33 described in this subsection shall not include those federal transit
34 administration funds distributed by formula.

35 (15) Funding provided by this act for the Alaskan Way Viaduct
36 project shall not be spent for preliminary engineering, design, right-
37 of-way acquisition, or construction on the project if completion of the

1 project would more likely than not reduce the capacity of the facility.
2 Capacity shall be measured by including the consideration of the
3 efficient movement of people and goods on the facility.

4 (16) The governor shall convene a collaborative process involving
5 key leaders to determine the final project design for the Alaskan Way
6 Viaduct.

7 (a) The process shall be guided by the following common principles:
8 Public safety must be maintained; the final project shall meet both
9 capacity and mobility needs; and taxpayer dollars must be spent
10 responsibly.

11 (b) The state's project expenditures shall not exceed
12 \$2,800,000,000.

13 (c) A final design decision shall be made by December 31, 2008.

14 (17) During the 2007-09 biennium, the department shall proceed with
15 a series of projects on the Alaskan Way Viaduct that are common to any
16 design alternative. Those projects include relocation of two
17 electrical transmission lines, Battery Street tunnel upgrades, seismic
18 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
19 Holgate to King Street, and development of transit enhancements and
20 other improvements to mitigate congestion during construction.

21 (18) The entire freight congestion relief account--state
22 appropriation is contingent upon the enactment during the 2007-2009
23 fiscal biennium of a bill, resulting from the study established in
24 Substitute Senate Bill No. 5207, that makes available funding to
25 support project expenditures funded from the freight congestion relief
26 account created in Substitute Senate Bill No. 5207. If such a funding
27 bill is not enacted by June 30, 2009, the entire freight congestion
28 relief account--state appropriation shall lapse.

29 (19) The transportation 2003 account (nickel account)--state
30 appropriation includes up to \$874,610,000 in proceeds from the sale of
31 bonds authorized by RCW 47.10.861.

32 (20) The transportation partnership account--state appropriation
33 includes up to \$900,000,000 in proceeds from the sale of bonds
34 authorized in RCW 47.10.873.

35 (21) The special category C account--state appropriation includes
36 up to \$22,080,000 in proceeds from the sale of bonds authorized in
37 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is

1 not enacted by June 30, 2007, the amount provided in this subsection
2 shall lapse.

3 (22) \$4,500,000 of the motor vehicle account--federal appropriation
4 is provided solely for cost increases on the SR 304/Bremerton tunnel
5 project.

6 (23) \$3,000,000 of the motor vehicle account--state appropriation
7 is provided solely for initial design and right of way work on a new
8 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

9 (24) \$500,000 of the motor vehicle account--federal appropriation
10 to the SR 543/I-5 to Canadian border project is provided solely for
11 retaining wall facia improvements.

12 (25) \$1,400,000 of the motor vehicle account--federal appropriation
13 is provided solely for the Westview school noise wall.

14 (26) \$1,600,000 of the motor vehicle account--federal appropriation
15 is provided solely for two noise walls on SR 161 in King county.

16 (27) \$900,000 of the motor vehicle account--state appropriation and
17 \$100,000 of the motor vehicle account--federal appropriation are
18 provided solely for interchange design and planning work on US 12 at A
19 street and tank farm road.

20 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **PRESERVATION--PROGRAM P**

22	Transportation Partnership Account--State	
23	Appropriation	\$220,164,000
24	Motor Vehicle Account--State Appropriation	\$71,392,000
25	Motor Vehicle Account--Federal Appropriation	\$425,161,000
26	Motor Vehicle Account--Private/Local Appropriation	\$15,285,000
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation	\$5,122,000
29	Puyallup Tribal Settlement Account--State	
30	Appropriation	\$11,000,000
31	TOTAL APPROPRIATION	\$748,124,000

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) The entire transportation 2003 account (nickel account)
35 appropriation and the entire transportation partnership account
36 appropriation are provided solely for the projects and activities as
37 listed by fund, project, and amount in LEAP Transportation Document

1 2007-1, Highway Preservation Program (P) as developed April 20, 2007.
2 However, limited transfers of specific line-item project appropriations
3 may occur between projects for those amounts listed subject to the
4 conditions and limitations in section 603 of this act.

5 (2) \$295,000 of the motor vehicle account--federal appropriation
6 and \$5,000 of the motor vehicle account--state appropriation are
7 provided solely for the department to determine the most cost efficient
8 way to replace the current Keller ferry. Options reviewed shall not
9 include an expansion of the current capacity of the Keller ferry.

10 (3) \$5,513,000 of the transportation partnership account--state
11 appropriation is provided solely for the purposes of settling all
12 identified and potential claims from the Lower Elwha Klallam Tribe
13 related to the construction of a graving dock facility on the graving
14 dock property. In the matter of *Lower Elwha Klallam Tribe et al v.*
15 *State et al*, Thurston county superior court, cause no. 05-2-01595-8,
16 the Lower Elwha Klallam Tribe and the state of Washington entered into
17 a settlement agreement that settles all claims related to graving dock
18 property and associated construction and releases the state from all
19 claims related to the construction of the graving dock facilities. The
20 expenditure of this appropriation is contingent on the conditions and
21 limitations set forth in subsections (a) and (b) of this subsection.

22 (a) \$2,000,000 of the transportation partnership account--state
23 appropriation is provided solely for the benefit of the Lower Elwha
24 Klallam Tribe to be disbursed by the department in accordance with
25 terms and conditions of the settlement agreement.

26 (b) \$3,513,000 of the transportation partnership account--state
27 appropriation is provided solely for the department's remediation work
28 on the graving dock property in accordance with the terms and
29 conditions of the settlement agreement.

30 (4) The department shall apply for surface transportation program
31 (STP) enhancement funds to be expended in lieu of or in addition to
32 state funds for eligible costs of projects in Programs I and P,
33 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
34 Way Viaduct projects.

35 (5) The department shall, on a quarterly basis beginning July 1,
36 2007, provide to the office of financial management and the legislature
37 reports providing the status on each active project funded in part or
38 whole by the transportation 2003 account (nickel account) or the

1 transportation partnership account. Funding provided at a programmatic
2 level for transportation partnership account projects relating to
3 seismic bridges should be reported on a programmatic basis. Projects
4 within this programmatic level funding should be completed on a
5 priority basis and scoped to be completed within the current
6 programmatic budget. Other projects may be reported on a programmatic
7 basis. The department shall work with the office of financial
8 management and the transportation committees of the legislature to
9 agree on report formatting and elements. Elements shall include, but
10 not be limited to, project scope, schedule, and costs. The department
11 shall also provide the information required under this subsection on a
12 quarterly basis via the transportation executive information systems
13 (TEIS).

14 (6) The department of transportation shall continue to implement
15 the lowest life cycle cost planning approach to pavement management
16 throughout the state to encourage the most effective and efficient use
17 of pavement preservation funds. Emphasis should be placed on
18 increasing the number of roads addressed on time and reducing the
19 number of roads past due.

20 (7) \$2,604,501 of the motor vehicle account--federal appropriation
21 and \$3,000,000 of the motor vehicle account--state appropriation are
22 for expenditures on damaged state roads due to flooding, mudslides,
23 rock fall, or other unforeseen events.

24 (8) \$9,665 of the motor vehicle account--state appropriation,
25 \$12,652,812 of the motor vehicle account--federal appropriation, and
26 \$138,174,581 of the transportation partnership account--state
27 appropriation are provided solely for the Hood Canal bridge project.

28 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

30	Motor Vehicle Account--State Appropriation	\$9,212,000
31	Motor Vehicle Account--Federal Appropriation	\$15,951,000
32	Motor Vehicle Account--Private/Local Appropriation	\$74,000
33	TOTAL APPROPRIATION	\$25,237,000

34 The appropriations in this section are subject to the following
35 conditions and limitations: The motor vehicle account--state
36 appropriation includes \$8,833,000 provided solely for state matching

1 funds for federally selected competitive grant or congressional earmark
2 projects. These moneys shall be placed into reserve status until such
3 time as federal funds are secured that require a state match.

4 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

6	Puget Sound Capital Construction Account--State	
7	Appropriation	\$139,139,000
8	Puget Sound Capital Construction Account--Federal	
9	Appropriation	\$66,145,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$4,100,000
12	Transportation 2003 Account (Nickel Account)--State	
13	Appropriation	\$76,525,000
14	TOTAL APPROPRIATION	\$285,909,000

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

17 (1) \$6,432,000 of the Puget Sound capital construction account--
18 state appropriation is provided solely for emergency capital costs.

19 (2) \$16,567,000 of the Puget Sound capital construction account--
20 state appropriation and \$4,100,000 of the multimodal transportation
21 account--state appropriation are provided solely for the terminal
22 projects listed:

23 (a) Anacortes ferry terminal - utilities work; right-of-way
24 purchase for a holding area during construction; and completion of
25 design and permitting on the terminal building, pick-up and drop-off
26 sites, and pedestrian and bicycle facilities;

27 (b) Bainbridge Island ferry terminal - environmental planning;

28 (c) Bremerton ferry terminal - overhead loading control system and
29 moving the terminal agent's office;

30 (d) Clinton ferry terminal - septic system replacement;

31 (e) Edmonds ferry terminal - right-of-way acquisition costs and
32 federal match requirements;

33 (f) Friday Harbor ferry terminal - parking resurfacing;

34 (g) Keystone and Port Townsend ferry terminals - route
35 environmental planning;

36 (h) Kingston ferry terminal - transfer span retrofit and overhead
37 vehicle holding control system modifications;

1 (i) Mukilteo ferry terminal - right-of-way acquisition,
2 archeological studies, and environmental planning;

3 (j) Port Townsend ferry terminal - wingwall replacement;

4 (k) Seattle ferry terminal - environmental planning, coordination
5 with local jurisdictions, and coordination with highway projects; and

6 (l) Vashon Island and Seattle ferry terminals - modify the
7 passenger-only facilities.

8 (3) \$15,500,000 of the Puget Sound ferries operating account--state
9 appropriation is provided solely for dolphin replacement projects at
10 the Orcas Island and Vashon Island ferry terminals. The department
11 shall submit a predesign study to the legislature and must receive
12 legislative approval before beginning design or construction of these
13 projects.

14 (4) \$76,525,000 of the transportation 2003 account (nickel
15 account)--state appropriation and \$50,985,000 of the Puget Sound
16 capital construction account--state appropriation are provided solely
17 for the procurement of four 144-vehicle auto-passenger ferry vessels.

18 (5) \$18,716,000 of the Puget Sound capital construction account--
19 state appropriation is provided solely for the Eagle Harbor maintenance
20 facility preservation project. These funds may not be used for
21 relocating any warehouses not currently on the Eagle Harbor site.

22 (6) The department shall research an asset management system to
23 improve Washington state ferries' management of capital assets and the
24 department's ability to estimate future preservation needs. The
25 department shall report its findings regarding a new asset management
26 system to the governor and the transportation committees of the
27 legislature no later than January 15, 2008.

28 (7) The department shall sell the M.V. Chinook and M.V. Snohomish
29 passenger-only fast ferries as soon as practicable and deposit the
30 proceeds of the sales into the passenger ferry account created in RCW
31 47.60.645. Once the department ceases to provide passenger-only ferry
32 service, the department shall sell the M.V. Kalama and M.V. Skagit
33 passenger-only ferries and deposit the proceeds of the sales into the
34 passenger ferry account created in RCW 47.60.645.

35 (8) The department shall, on a quarterly basis beginning July 1,
36 2007, provide to the office of financial management and the legislature
37 reports providing the status on each project listed in this section and
38 in the project lists submitted pursuant to this act and on any

1 additional projects for which the department has expended funds during
2 the 2007-09 fiscal biennium. Elements shall include, but not be
3 limited to, project scope, schedule, and costs. The department shall
4 also provide the information required under this subsection via the
5 transportation executive information systems (TEIS).

6 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **RAIL--PROGRAM Y--CAPITAL**

8	Essential Rail Assistance Account--State Appropriation . . .	\$500,000
9	Freight Congestion Relief Account--State	
10	Appropriation	\$25,000,000
11	Transportation Infrastructure Account--State	
12	Appropriation	\$2,500,000
13	Multimodal Transportation Account--State	
14	Appropriation	\$154,637,000
15	Multimodal Transportation Account--Federal	
16	Appropriation	\$30,450,000
17	Multimodal Transportation Account--Private/Local	
18	Appropriation	\$7,894,000
19	TOTAL APPROPRIATION	\$220,981,000

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1)(a) Except as provided in subsection (8) of this section, the
23 entire appropriations in this section are provided solely for the
24 projects and activities as listed by fund, project, and amount in LEAP
25 Transportation Document 2007-1, Rail Capital Program (Y) as developed
26 April 20, 2007. However, limited transfers of specific line-item
27 project appropriations may occur between projects for those amounts
28 listed subject to the conditions and limitations in section 603 of this
29 act.

30 (b) Within the amounts provided in this section, \$2,500,000 of the
31 transportation infrastructure account--state appropriation is for low-
32 interest loans for rail capital projects through the freight rail
33 investment bank program. The department shall issue a call for
34 projects based upon the legislative priorities specified in subsection
35 (7)(a) of this section. Application must be received by the department
36 by November 1, 2007. By December 1, 2007, the department shall submit

1 a prioritized list of recommended projects to the office of financial
2 management and the transportation committees of the legislature.

3 (c) Within the amounts provided in this section, \$3,335,000 of the
4 multimodal transportation account--state appropriation is for statewide
5 - emergent freight rail assistance projects. However, the department
6 shall perform a cost/benefit analysis of the projects according to the
7 legislative priorities specified in subsection (7)(a) of this section,
8 and shall give priority to the following projects: Rail - Tacoma rail
9 yard switching upgrades (\$500,000); Rail - Port of Ephrata spur
10 rehabilitation (\$127,000); Rail - Lewis and Clark rail improvements
11 (\$1,100,000); Rail - Port of Grays Harbor rail access improvements
12 (\$543,000); Rail - Port of Longview rail loop construction (\$291,000);
13 and Rail - Port of Chehalis (\$774,000). If the relative cost of any of
14 the six projects identified in this subsection (1)(c) is not
15 substantially less than the public benefits to be derived from the
16 project, then the department shall not assign the funds to the project,
17 and instead shall use those funds toward those projects identified by
18 the department in the attachments to the "Washington State Department
19 of Transportation FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009
20 Prioritized Project List and Program Update" dated December 2006 for
21 which the proportion of public benefits to be gained compared to the
22 cost of the project is greatest.

23 (d) Within the amounts provided in this section, \$25,000,000 of the
24 freight congestion relief account--state appropriation is for
25 modifications to the Stampede Pass rail tunnel to facilitate the
26 movement of double stacked rail cars. The department shall quantify
27 and report to the legislature by December 1, 2007, the volume of
28 freight traffic that would likely be shipped by rail rather than trucks
29 if the Stampede Pass rail tunnel were modified to accommodate double
30 stacked rail cars.

31 (e) Within the amounts provided in this section, \$200,000 of the
32 multimodal transportation account--state appropriation is for rescoping
33 the Kelso to Martin's Bluff - 3rd Mainline and Storage Tracks project.
34 The rescoped project may include funds that are committed to the
35 project by local or private funding partners. However, the rescoped
36 project must be capable of being completed with not more than
37 \$49,470,000 in future state funding. Subject to this funding

1 constraint, the rescoped project must maximize capacity improvements
2 along the rail mainline.

3 (f) Within the amounts provided in this section, \$3,600,000 of the
4 multimodal transportation account--state appropriation is for work
5 items on the Palouse River and Coulee City Railroad lines.

6 (2) The multimodal transportation account--state appropriation
7 includes up to \$137,620,000 in proceeds from the sale of bonds
8 authorized by RCW 47.10.867.

9 (3) The department is directed to seek the use of unprogrammed
10 federal rail crossing funds to be expended in lieu of or in addition to
11 state funds for eligible costs of projects in Program Y, including, but
12 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

13 (4) If new federal funding for freight or passenger rail is
14 received, the department shall consult with the transportation
15 committees of the legislature and the office of financial management
16 prior to spending the funds on existing or additional projects.

17 (5) The department shall sell any ancillary property, acquired when
18 the state purchased the right-of-ways to the PCC rail line system, to
19 a lessee of the ancillary property who is willing to pay fair market
20 value for the property. The department shall deposit the proceeds from
21 the sale of ancillary property into the transportation infrastructure
22 account.

23 (6) The entire freight congestion relief account--state
24 appropriation is contingent upon the enactment during the 2007-2009
25 fiscal biennium of a bill, resulting from the study established in
26 Substitute Senate Bill No. 5207, that makes available funding to
27 support project expenditures funded from the freight congestion relief
28 account created in Substitute Senate Bill No. 5207. If such a funding
29 bill is not enacted by June 30, 2009, the entire freight congestion
30 relief account--state appropriation shall lapse.

31 (7)(a) The department shall develop and implement the
32 benefit/impact evaluation methodology recommended in the statewide rail
33 capacity and needs study finalized in December 2006. The
34 benefit/impact evaluation methodology shall be developed using the
35 following priorities, in order of relative importance:

36 (i) Economic, safety, or environmental advantages of freight
37 movement by rail compared to alternative modes;

1 (ii) Self-sustaining economic development that creates family-wage
2 jobs;

3 (iii) Preservation of transportation corridors that would otherwise
4 be lost;

5 (iv) Increased access to efficient and cost-effective transport to
6 market for Washington's agricultural and industrial products;

7 (v) Better integration and cooperation within the regional,
8 national, and international systems of freight distribution; and

9 (vi) Mitigation of impacts of increased rail traffic on
10 communities.

11 (b) The department shall convene a work group to collaborate on the
12 development of the benefit/impact analysis method to be used in the
13 evaluation. The work group must include, at a minimum, the freight
14 mobility strategic investment board, the department of agriculture, and
15 representatives from the various users and modes of the state's rail
16 system.

17 (c) The department shall use the benefit/impact analysis and
18 priorities in (a) of this subsection when submitting requests for state
19 funding for rail projects. The department shall develop a standardized
20 format for submitting requests for state funding for rail projects that
21 includes an explanation of the analysis undertaken, and the conclusions
22 derived from the analysis.

23 (d) The department and the freight mobility strategic investment
24 board shall collaborate to submit a report to the office of financial
25 management and the transportation committees of the legislature by
26 September 1, 2008, listing proposed freight highway and rail projects.
27 The report must describe the analysis used for selecting such projects,
28 as required by this act for the department and as required by chapter
29 47.06A RCW for the board. When developing its list of proposed freight
30 highway and rail projects, the freight mobility strategic investment
31 board shall use the priorities identified in (a) of this subsection to
32 the greatest extent possible.

33 (8) \$5,000,000 of the multimodal transportation account--state
34 appropriation is reappropriated and provided solely for the costs of
35 acquisition of the PCC railroad associated with the memorandum of
36 understanding (MOU), which was executed between Washington state and
37 Watco. Total costs associated with the MOU shall not exceed
38 \$10,937,000.

1 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**

2 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

3	Highway Infrastructure Account--State Appropriation	\$207,000
4	Highway Infrastructure Account--Federal	
5	Appropriation	\$1,602,000
6	Freight Mobility Investment Account--State	
7	Appropriation	\$12,500,000
8	Freight Congestion Relief Account--State	
9	Appropriation	\$46,720,000
10	Transportation Partnership Account--State	
11	Appropriation	\$2,906,000
12	Motor Vehicle Account--State Appropriation	\$9,854,000
13	Motor Vehicle Account--Federal Appropriation	\$60,150,000
14	Freight Mobility Multimodal Account--State	
15	Appropriation	\$12,100,000
16	Multimodal Transportation Account--Federal	
17	Appropriation	\$3,500,000
18	Multimodal Transportation Account--State	
19	Appropriation	\$33,158,000
20	Transportation 2003 Account (Nickel Account)--State	
21	Appropriation	\$2,706,000
22	Passenger Ferry Account--State Appropriation	\$8,500,000
23	TOTAL APPROPRIATION	\$193,903,000

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

26 (1) The department shall, on a quarterly basis, provide status
27 reports to the legislature on the delivery of projects as outlined in
28 the project lists incorporated in this section. For projects funded by
29 new revenue in the 2003 and 2005 transportation packages, reporting
30 elements shall include, but not be limited to, project scope, schedule,
31 and costs. Other projects may be reported on a programmatic basis.
32 The department shall also provide the information required under this
33 subsection on a quarterly basis via the transportation executive
34 information system (TEIS).

35 (2) \$8,500,000 of the passenger ferry account--state appropriation
36 is provided solely for near and long-term costs of capital improvements
37 in a business plan approved by the governor for passenger ferry
38 service.

1 (3) The department shall seek the use of unprogrammed federal rail
2 crossing funds to be expended in lieu of or in addition to state funds
3 for eligible costs of projects in local programs, program Z capital.

4 (4) The department shall apply for surface transportation program
5 (STP) enhancement funds to be expended in lieu of or in addition to
6 state funds for eligible costs of projects in local programs, program
7 Z capital.

8 (5) Federal funds may be transferred from program Z to programs I
9 and P and state funds shall be transferred from programs I and P to
10 program Z to replace those federal funds in a dollar-for-dollar match.
11 Fund transfers authorized under this subsection shall not affect
12 project prioritization status. Appropriations shall initially be
13 allotted as appropriated in this act. The department may not transfer
14 funds as authorized under this subsection without approval of the
15 office of financial management. The department shall submit a report
16 on those projects receiving fund transfers to the office of financial
17 management and the transportation committees of the legislature by
18 December 1, 2007, and December 1, 2008.

19 (6) The city of Winthrop may utilize a design-build process for the
20 Winthrop bike path project. Of the amount appropriated in this section
21 for this project, \$500,000 of the multimodal transportation account--
22 state appropriation is contingent upon the state receiving from the
23 city of Winthrop \$500,000 in federal funds awarded to the city of
24 Winthrop by its local planning organization.

25 (7) \$7,000,000 of the multimodal transportation account--state
26 appropriation, \$7,000,000 of the motor vehicle account--federal
27 appropriation, and \$4,000,000 of the motor vehicle account--federal
28 appropriation are provided solely for the pedestrian and bicycle safety
29 program projects and safe routes to schools program projects identified
30 in the LEAP Transportation Document 2007-A, pedestrian and bicycle
31 safety program projects and safe routes to schools program projects as
32 developed April 20, 2007. Projects must be allocated funding based on
33 order of priority. The department shall review all projects receiving
34 grant awards under this program at least semiannually to determine
35 whether the projects are making satisfactory progress. Any project
36 that has been awarded funds, but does not report activity on the
37 project within one year of the grant award, shall be reviewed by the
38 department to determine whether the grant should be terminated. The

1 department shall promptly close out grants when projects have been
2 completed, and identify where unused grant funds remain because actual
3 project costs were lower than estimated in the grant award.

4 (8) Up to a maximum of \$5,000,000 of the multimodal transportation
5 account--state appropriation and up to a maximum of \$2,000,000 of the
6 motor vehicle account--federal appropriation are reappropriated for the
7 pedestrian and bicycle safety program projects and safe routes to
8 schools program projects identified in the LEAP transportation document
9 2006-B, pedestrian and bicycle safety program projects and safe routes
10 to schools program projects as developed March 8, 2006. Projects must
11 be allocated funding based on order of priority. The department shall
12 review all projects receiving grant awards under this program at least
13 semiannually to determine whether the projects are making satisfactory
14 progress. Any project that has been awarded funds, but does not report
15 activity on the project within one year of the grant award, shall be
16 reviewed by the department to determine whether the grant should be
17 terminated. The department shall promptly close out grants when
18 projects have been completed, and identify where unused grant funds
19 remain because actual project costs were lower than estimated in the
20 grant award.

21 (9) The entire freight congestion relief account--state
22 appropriation is contingent upon the enactment during the 2007-2009
23 fiscal biennium of a bill, resulting from the study established in
24 Substitute Senate Bill No. 5207, that makes available funding to
25 support project expenditures funded from the freight congestion relief
26 account created in Substitute Senate Bill No. 5207. If such a funding
27 bill is not enacted by June 30, 2009, the entire freight congestion
28 relief account--state appropriation shall lapse.

29 (10) \$3,500,000 of the multimodal transportation account--federal
30 appropriation is provided solely for the Museum of Flight pedestrian
31 bridge safety project.

32 (11) \$250,000 of the multimodal transportation account--state
33 appropriation is provided solely for the icicle rail station in
34 Leavenworth.

35 (12) \$1,500,000 of the motor vehicle account--state appropriation
36 is provided solely for the Union Gap city road project.

37 (13) \$350,000 of the motor vehicle account--state appropriation is
38 provided solely for the Saltwater state park bridge project.

1 (14) \$1,000,000 of the motor vehicle account--state appropriation
2 is provided solely for the coal creek parkway project.

3 (15) \$250,000 of the multimodal transportation account--state
4 appropriation is provided solely for a streetcar feasibility study in
5 downtown Spokane.

6 (16) \$500,000 of the motor vehicle account--state appropriation is
7 provided solely for the marine view drive bridge project in Des Moines.

8 **TRANSFERS AND DISTRIBUTIONS**

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

13	Highway Bond Retirement Account Appropriation	\$570,030,000
14	Ferry Bond Retirement Account Appropriation	\$38,059,000
15	Transportation Improvement Board Bond Retirement	
16	Account--State Appropriation	\$27,749,000
17	Nondebt-Limit Reimbursable Account Appropriation	\$19,359,000
18	Transportation Partnership Account--State	
19	Appropriation	\$6,694,000
20	Motor Vehicle Account--State Appropriation	\$986,000
21	Transportation Improvement Account--State Appropriation	\$68,000
22	Multimodal Transportation Account--State	
23	Appropriation	\$1,032,000
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation	\$6,560,000
26	Urban Arterial Trust Account--State Appropriation	\$473,000
27	Special Category C Account Appropriation	\$160,000
28	TOTAL APPROPRIATION	\$671,170,000

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

32	Transportation Partnership Account--State Appropriation	\$2,254,000
33	Motor Vehicle Account--State Appropriation	\$329,000
34	Transportation Improvement Account--State Appropriation	\$5,000
35	Multimodal Transportation Account--State Appropriation	\$130,000

1 Transportation 2003 Account (Nickel Account)--State
 2 Appropriation \$2,187,000
 3 Urban Arterial Trust Account--State Appropriation \$38,000
 4 Special Category C Account--State Appropriation \$53,000
 5 TOTAL APPROPRIATION \$4,996,000

6 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
 7 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 8 **MVFT BONDS AND TRANSFERS**

9 (1) Motor Vehicle Account--State Reappropriation:
 10 For transfer to the Tacoma Narrows Toll Bridge
 11 Account \$131,016,000

12 The department of transportation is authorized to sell up to
 13 \$131,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
 14 Narrows bridge project. Proceeds from the sale of the bonds shall be
 15 deposited into the motor vehicle account. The department of
 16 transportation shall inform the treasurer of the amount to be
 17 deposited.

18 (2) Motor Vehicle Account--State Appropriation:
 19 For transfer to the Puget Sound Capital Construction
 20 Account \$131,500,000

21 The department of transportation is authorized to sell up to
 22 \$131,500,000 in bonds authorized by RCW 47.10.843 for vessel and
 23 terminal acquisition, major and minor improvements, and long lead-time
 24 materials acquisition for the Washington state ferries.

25 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
 26 **FOR DISTRIBUTION**

27 Motor Vehicle Account Appropriation for
 28 motor vehicle fuel tax distributions to cities
 29 and counties \$526,320,000

30 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

31 Motor Vehicle Account--State
 32 Appropriation: For motor vehicle fuel tax
 33 refunds and statutory transfers \$937,181,000

1 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING--**

2 **TRANSFERS**

3 Motor Vehicle Account--State

4 Appropriation: For motor vehicle fuel tax

5 refunds and transfers \$346,657,000

6 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE**

7 **TRANSFERS**

8 (1) Recreational Vehicle Account--State

9 Appropriation: For transfer to the Motor Vehicle

10 Account--State \$3,005,000

11 (2) License Plate Technology Account--State

12 Appropriation: For the Multimodal Transportation

13 Account--State \$4,500,000

14 (3) Motor Vehicle Account--State Appropriation:

15 For transfer to the High-Occupancy Toll Lanes Operations--

16 State Account \$3,000,000

17 (4) Motor Vehicle Account--State Appropriation:

18 For transfer to the Puget Sound Capital Construction

19 Account--State \$20,000,000

20 (5) Multimodal Transportation Account--State

21 Appropriation: For transfer to the Puget Sound

22 Ferry Operations Account--State \$39,000,000

23 (6) Advanced Right-of-Way Revolving Account--State

24 Appropriation: For transfer to the Motor Vehicle

25 Account--State \$30,000,000

26 (7) Waste Tire Removal Account--State Appropriation:

27 For transfer to the Motor Vehicle Account--State \$5,600,000

28 (8) Motor Vehicle Account--State Appropriation:

29 For transfer to the Transportation Partnership

30 Account--State \$25,000,000

31 (9) Multimodal Transportation Account--State

32 Appropriation: For transfer to the General

33 Fund--State \$3,500,000

34 (10) Multimodal Transportation Account--State

35 Appropriation: For transfer to the Transportation

36 Infrastructure Account--State \$7,000,000

37 (11) Highway Safety Account--State Appropriation:

1 For transfer to the Multimodal Transportation
2 Account--State \$9,500,000

3 The transfers identified in this section are subject to the
4 following conditions and limitations:

5 (a) The amount transferred in subsection (3) of this section may be
6 spent only on "highway purposes" as that term is construed in Article
7 II, section 40 of the Washington state Constitution.

8 (b) The amount transferred in subsection (10) of this section is
9 contingent on the enactment of Engrossed Substitute Senate Bill No.
10 5799. If Engrossed Substitute Senate Bill No. 5799 is not enacted by
11 June 30, 2007, the amount transferred shall lapse.

12 NEW SECTION. **Sec. 408. STATUTORY APPROPRIATIONS.** In addition to
13 the amounts appropriated in this act for revenue for distribution,
14 state contributions to the law enforcement officers' and firefighters'
15 retirement system, and bond retirement and interest including ongoing
16 bond registration and transfer charges, transfers, interest on
17 registered warrants, and certificates of indebtedness, there is also
18 appropriated such further amounts as may be required or available for
19 these purposes under any statutory formula or under any proper bond
20 covenant made under law.

21 NEW SECTION. **Sec. 409.** The department of transportation is
22 authorized to undertake federal advance construction projects under the
23 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
24 meeting approved highway construction and preservation objectives. The
25 legislature recognizes that the use of state funds may be required to
26 temporarily fund expenditures of the federal appropriations for the
27 highway construction and preservation programs for federal advance
28 construction projects prior to conversion to federal funding.

29 **COMPENSATION**

30 NEW SECTION. **Sec. 501. COMPENSATION--NONREPRESENTED EMPLOYEES--**
31 **INSURANCE BENEFITS.** The appropriations for state agencies, are subject
32 to the following conditions and limitations:

33 (1)(a) The monthly employer funding rate for insurance benefit
34 premiums, public employees' benefits board administration, and the

1 uniform medical plan, shall not exceed \$707 per eligible employee for
2 fiscal year 2008. For fiscal year 2009 the monthly employer funding
3 rate shall not exceed \$732 per eligible employee.

4 (b) In order to achieve the level of funding provided for health
5 benefits, the public employees' benefits board shall require any or all
6 of the following: Employee premium copayments, increases in
7 point-of-service cost sharing, the implementation of managed
8 competition, or make other changes to benefits consistent with RCW
9 41.05.065.

10 (c) The health care authority shall deposit any moneys received on
11 behalf of the uniform medical plan as a result of rebates on
12 prescription drugs, audits of hospitals, subrogation payments, or any
13 other moneys recovered as a result of prior uniform medical plan claims
14 payments, into the public employees' and retirees' insurance account to
15 be used for insurance benefits. Such receipts shall not be used for
16 administrative expenditures.

17 (2) The health care authority, subject to the approval of the
18 public employees' benefits board, shall provide subsidies for health
19 benefit premiums to eligible retired or disabled public employees and
20 school district employees who are eligible for medicare, pursuant to
21 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
22 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
23 be \$184.26 per month.

24 NEW SECTION. **Sec. 502. COMPENSATION--REPRESENTED EMPLOYEES**
25 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS.** The appropriations for
26 state agencies, are subject to the following conditions and
27 limitations:

28 (1)(a) The monthly employer funding rate for insurance benefit
29 premiums, public employees' benefits board administration, and the
30 uniform medical plan, for represented employees outside the super
31 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible
32 employee for fiscal year 2008. For fiscal year 2009 the monthly
33 employer funding rate shall not exceed \$732 per eligible employee.

34 (b) In order to achieve the level of funding provided for health
35 benefits, the public employees' benefits board shall require any or all
36 of the following: Employee premium copayments, increases in

1 point-of-service cost sharing, the implementation of managed
2 competition, or make other changes to benefits consistent with RCW
3 41.05.065.

4 (c) The health care authority shall deposit any moneys received on
5 behalf of the uniform medical plan as a result of rebates on
6 prescription drugs, audits of hospitals, subrogation payments, or any
7 other moneys recovered as a result of prior uniform medical plan claims
8 payments, into the public employees' and retirees' insurance account to
9 be used for insurance benefits. Such receipts shall not be used for
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the
12 public employees' benefits board, shall provide subsidies for health
13 benefit premiums to eligible retired or disabled public employees and
14 school district employees who are eligible for medicare, pursuant to
15 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
16 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
17 be \$184.26 per month.

18 NEW SECTION. **Sec. 503. COMPENSATION--REPRESENTED EMPLOYEES--**
19 **SUPER COALITION.** Collective bargaining agreements negotiated as part
20 of the super coalition under chapter 41.80 RCW include employer
21 contributions to health insurance premiums at 88% of the cost. Funding
22 rates at this level are currently \$707 per month for fiscal year 2008
23 and \$732 per month for fiscal year 2009. The agreements also include
24 a one-time payment of \$756 for each employee who is eligible for
25 insurance for the month of June, 2007, and is covered by a 2007-2009
26 collective bargaining agreement pursuant to chapter 41.80 RCW, as well
27 as continuation of the salary increases that were negotiated for the
28 twelve-month period beginning July 1, 2006, and scheduled to terminate
29 June 30, 2007.

30 NEW SECTION. **Sec. 504. COMPENSATION--PENSION CONTRIBUTIONS.** The
31 appropriations for state agencies, including institutions of higher
32 education are subject to the following conditions and limitations:
33 Appropriations are provided to fund employer contributions to state
34 pension funds at the rates adopted by the pension funding council.

1 NEW SECTION. **Sec. 505. COMPENSATION--REVISE PENSION GAIN**
2 **SHARING.** The appropriations for (schools) state agencies, including
3 institutions of higher education are subject to the following
4 conditions and limitations: Appropriations are adjusted to reflect
5 changes to pension gain sharing as provided in House Bill No. 2391.

6 NEW SECTION. **Sec. 506. NONREPRESENTED EMPLOYEE COMPENSATION.**
7 The appropriations for nonrepresented employee compensation adjustments
8 are provided solely for:

9 (1) Across the Board Adjustments.

10 (a) Appropriations are provided for a 3.2% salary increase
11 effective September 1, 2007, for all classified employees, except those
12 represented by a collective bargaining unit under chapter 41.80 RCW,
13 and except the certificated employees of the state schools for the deaf
14 and blind and employees of community and technical colleges covered by
15 the provisions of Initiative Measure No. 732. Also included are
16 employees in the Washington management service, and exempt employees
17 under the jurisdiction of the director of personnel.

18 The appropriations are also sufficient to fund a 3.2% salary
19 increase effective September 1, 2007, and for executive, legislative,
20 and judicial branch employees exempt from merit system rules whose
21 maximum salaries are not set by the commission on salaries for elected
22 officials.

23 (b) Appropriations are provided for a 2.0% salary increase
24 effective September 1, 2008, for all classified employees, except those
25 represented by a collective bargaining unit under chapter 41.80 RCW,
26 and except for the certificated employees of the state schools of the
27 deaf and blind and employees of community and technical colleges
28 covered by the provisions of Initiative Measure No. 732. Also included
29 are employees in the Washington management service, and exempt
30 employees under the jurisdiction of the director of personnel. The
31 appropriations are also sufficient to fund a 2.0% salary increase
32 effective September 1, 2008, for executive, legislative, and judicial
33 branch employees exempt from merit system rules whose maximum salaries
34 are not set by the commission on salaries for elected officials.

35 (2) Salary Survey.

36 For state employees, except those represented by a bargaining unit

1 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
2 implementation of the department of personnel's 2006 salary survey, for
3 job classes more than 25% below market rates and affected classes.

4 (3) Classification Consolidation.

5 For state employees, except those represented by a bargaining unit
6 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
7 implementation of the department of personnel's phase 4 job class
8 consolidation and revisions under the personnel system reform act of
9 2002.

10 (4) Agency Request Consolidation.

11 For state employees, except those represented by a bargaining unit
12 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
13 implementation of the department of personnel's agency request job
14 class consolidation and reclassification plan.

15 (5) Additional Pay Step.

16 For state employees, except those represented by a bargaining unit
17 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for a
18 new pay step L for those who have been in step K for at least one year.

19 (6) Retain Fiscal Year 2007 Pay Increase.

20 For all classified state employees, except those represented by a
21 bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except
22 for the certificated employees of the state schools of the deaf and
23 blind and employees of community and technical colleges covered by the
24 provisions of Initiative Measure No. 732, funding is provided for
25 continuation of the 1.6% salary increase that was provided during
26 fiscal year 2007. Also included are employees in the Washington
27 management service, and exempt employees under the jurisdiction of the
28 director of personnel. The appropriations are also sufficient to
29 continue a 1.6% salary increase for executive, legislative, and
30 judicial branch employees exempt from merit system rules whose maximum
31 salaries are not set by the commission on salaries for elected
32 officials.

33 NEW SECTION. **Sec. 507. COLLECTIVE BARGAINING AGREEMENTS.**

34 Provisions of the collective bargaining agreements contained in
35 sections 508 through 519 of this act are described in general terms.
36 Only major economic terms are included in the descriptions. These
37 descriptions do not contain the complete contents of the agreements.

1 The collective bargaining agreements contained in sections 508 through
2 519 may also be funded by expenditures from nonappropriated accounts.
3 If positions are funded with lidded grants or dedicated fund sources
4 with insufficient revenue, additional funding from other sources is not
5 provided.

6 NEW SECTION. **Sec. 508. COLLECTIVE BARGAINING AGREEMENT--IBU.**
7 Appropriations in this act contain funding for the collective
8 bargaining agreement reached between the governor and the
9 inlandboatmen's union of the pacific under chapter 47.64 RCW. For
10 employees covered under this agreement, provisions include a 1.6%
11 salary increase effective July 1, 2007, which continues the increase
12 that went into effect July 1, 2006, and is set to terminate June 30,
13 2007. Also included is a 3.2% salary increase effective July 1, 2007,
14 a 2% salary increase effective July 1, 2008, and increases ranging from
15 1.5% to 4% to address specific classifications which are below market
16 rates as established by the marine employees commission 2006 salary
17 survey.

18 NEW SECTION. **Sec. 509. COLLECTIVE BARGAINING AGREEMENT--MEBA-**
19 **LICENSED.** Appropriations in this act reflect the collective bargaining
20 agreement reached between the governor and the marine engineers'
21 beneficial association under chapter 47.64 RCW. For employees covered
22 under this agreement, provisions include a 1.6% salary increase
23 effective July 1, 2007, which continues the increase that went into
24 effect July 1, 2006, and is set to terminate June 30, 2007. Also
25 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
26 increase effective July 1, 2008, and increases ranging from 1% to 6% to
27 address specific classifications which are below market rates as
28 established by the marine employees commission 2006 salary survey.

29 NEW SECTION. **Sec. 510. COLLECTIVE BARGAINING AGREEMENT--**
30 **MEBA-UNLICENSED.** Appropriations in this act reflect the collective
31 bargaining agreement reached between the governor and the marine
32 engineers' beneficial association under chapter 47.64 RCW. For
33 employees covered under this agreement, provisions include a 1.6%
34 salary increase effective July 1, 2007, which continues the increase

1 that went into effect July 1, 2006, and is set to terminate June 30,
2 2007. Also included is a 3.2% salary increase effective July 1, 2007,
3 and a 2% salary increase effective July 1, 2008.

4 NEW SECTION. **Sec. 511. COLLECTIVE BARGAINING AGREEMENT--MM&P.**
5 Appropriations in this act reflect the collective bargaining agreement
6 reached between the governor and the international organization of
7 master, mates & pilots, local 6, under chapter 47.64 RCW. For
8 employees covered under this agreement, provisions include a 1.6%
9 salary increase effective July 1, 2007, which continues the increase
10 that went into effect July 1, 2006, and is set to terminate June 30,
11 2007. Also included is a 3.2% salary increase effective July 1, 2007,
12 a 2% salary increase effective July 1, 2008, and increases ranging from
13 2.5% to 7.5% to address specific classifications which are below market
14 rates as established by the marine employees commission 2006 salary
15 survey.

16 NEW SECTION. **Sec. 512. COLLECTIVE BARGAINING AGREEMENT--**
17 **MM&P-WATCH SUPERVISORS.** Appropriations in this act reflect the
18 collective bargaining agreement reached between the governor and the
19 international organization of master, mates & pilots, watch
20 supervisors, local 6, under chapter 47.64 RCW. For employees covered
21 under this agreement, provisions include a 1.6% salary increase
22 effective July 1, 2007, which continues the increase that went into
23 effect July 1, 2006, and is set to terminate June 30, 2007. Also
24 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
25 increase effective July 1, 2008, and a 3% increase to address this
26 specific classification which is below market rates as established by
27 the marine employees commission 2006 salary survey.

28 NEW SECTION. **Sec. 513. COLLECTIVE BARGAINING AGREEMENT--METAL**
29 **TRADES COUNCIL.** Appropriations in this act reflect the collective
30 bargaining agreement reached between the governor and the Puget Sound
31 metal trades council under chapter 47.64 RCW. For employees covered
32 under this agreement, provisions include a 1.6% salary increase
33 effective July 1, 2007, which continues the increase that went into
34 effect July 1, 2006, and is set to terminate June 30, 2007. Also
35 included is a 3.2% salary increase effective July 1, 2007, a 2% salary

1 increase effective July 1, 2008, and a \$0.95/hour salary adjustment to
2 all classifications which are below market rates as established by the
3 marine employees commission 2006 salary survey.

4 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENT--FASPAA.**

5 Appropriations in this act reflect the collective bargaining agreement
6 reached between the governor and the ferry agents, supervisors, &
7 project administrators association under chapter 47.64 RCW. For
8 employees covered under this agreement, provisions include a 1.6%
9 salary increase effective July 1, 2007, which continues the increase
10 that went into effect July 1, 2006, and is set to terminate June 30,
11 2007. Also included is a 3.2% salary increase effective July 1, 2007,
12 a 2% salary increase effective July 1, 2008, and a 10% increase to
13 address specific classifications which are below market rates as
14 established by the marine employees commission 2006 salary survey.

15 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT--OPEIU.**

16 Appropriations in this act reflect the collective bargaining agreement
17 reached between the governor and the office & professional employees
18 international union, local 8, under chapter 47.64 RCW. For employees
19 covered under this agreement, provisions include a 1.6% salary increase
20 effective July 1, 2007, which continues the increase that went into
21 effect July 1, 2006, and is set to terminate June 30, 2007. Also
22 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
23 increase effective July 1, 2008, and a one salary range (5%) increase
24 to address specific classifications which are below market rates as
25 established by the marine employees commission 2006 salary survey.

26 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT--SEIU.**

27 Appropriations in this act reflect the collective bargaining agreement
28 reached between the governor and the service employees international
29 union, local 6, under chapter 47.64 RCW. For employees covered under
30 this agreement, provisions include a 1.6% salary increase effective
31 July 1, 2007, which continues the increase that went into effect July
32 1, 2006, and is set to terminate June 30, 2007. Also included is a
33 3.2% salary increase effective July 1, 2007, a 2% salary increase
34 effective July 1, 2008, and a 5% increase to address specific

1 classifications which are below market rates as established by the
2 marine employees commission 2006 salary survey.

3 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT--WSP**
4 **TROOPERS ASSOCIATION.** Appropriations in this act reflect funding for
5 the collective bargaining agreement reached between the governor and
6 the Washington state patrol trooper's association under the provisions
7 of chapter 41.56 RCW. For employees covered under this agreement,
8 provisions include a 4.0% salary increase effective July 1, 2007, and
9 a 4.0% salary increase effective July 1, 2008. Also effective July 1,
10 2007, positions located in King (10%), Snohomish (5%), or Pierce (3%)
11 counties will receive geographic pay.

12 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT--WSP**
13 **LIEUTENANTS ASSOCIATION.** Appropriations in this act reflect funding
14 for the collective bargaining agreement reached between the governor
15 and the Washington state patrol lieutenant's association under the
16 provisions of chapter 41.56 RCW. For employees covered under this
17 agreement, provisions include a 4.0% salary increase effective July 1,
18 2007, and a 4.0% salary increase effective July 1, 2008. Also
19 effective July 1, 2007, positions located in King (10%), Snohomish
20 (5%), or Pierce (3%) counties will receive geographic pay.

21 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT--IFPTE.**
22 Appropriations in this act reflect the collective bargaining agreement
23 reached between the governor and the international federation of
24 professional and technical engineers under the provisions of chapter
25 41.80 RCW. For employees covered under this agreement, provisions
26 include a 1.6% salary increase effective July 1, 2007, which continues
27 the increase that went into effect July 1, 2006, and is set to
28 terminate June 30, 2007. Also included is a 3.2% salary increase
29 effective July 1, 2007, and a 2% salary increase effective July 1,
30 2008. Select classifications will receive wage increases due to the
31 implementation of the department of personnel's 2006 salary survey for
32 classes more than 25% below market rates. These increases will be
33 effective July 1, 2007. All employees covered under the agreement that
34 have been at the top step of their range for a year or longer will
35 progress to a new step L effective July 1, 2007.

1 **IMPLEMENTING PROVISIONS**

2 NEW SECTION. **Sec. 601.** Executive Order number 05-05,
3 archaeological and cultural resources, was issued effective November
4 10, 2005. Agencies and higher education institutions that issue grants
5 or loans for capital projects shall comply with the requirements set
6 forth in this executive order.

7 NEW SECTION. **Sec. 602. INFORMATION SYSTEMS PROJECTS.** Agencies
8 shall comply with the following requirements regarding information
9 systems projects when specifically directed to do so by this act.

10 (1) Agency planning and decisions concerning information technology
11 shall be made in the context of its information technology portfolio.
12 "Information technology portfolio" means a strategic management
13 approach in which the relationships between agency missions and
14 information technology investments can be seen and understood, such
15 that: Technology efforts are linked to agency objectives and business
16 plans; the impact of new investments on existing infrastructure and
17 business functions are assessed and understood before implementation;
18 and agency activities are consistent with the development of an
19 integrated, nonduplicative statewide infrastructure.

20 (2) Agencies shall use their information technology portfolios in
21 making decisions on matters related to the following:

- 22 (a) System refurbishment, acquisitions, and development efforts;
- 23 (b) Setting goals and objectives for using information technology
24 in meeting legislatively-mandated missions and business needs;
- 25 (c) Assessment of overall information processing performance,
26 resources, and capabilities;
- 27 (d) Ensuring appropriate transfer of technological expertise for
28 the operation of any new systems developed using external resources;
29 and
- 30 (e) Progress toward enabling electronic access to public
31 information.

32 (3) Each project will be planned and designed to take optimal
33 advantage of Internet technologies and protocols. Agencies shall
34 ensure that the project is in compliance with the architecture,
35 infrastructure, principles, policies, and standards of digital
36 government as maintained by the information services board.

1 (4) The agency shall produce a feasibility study for information
2 technology projects at the direction of the information services board
3 and in accordance with published department of information services
4 policies and guidelines. At a minimum, such studies shall include a
5 statement of: (a) The purpose or impetus for change; (b) the business
6 value to the agency, including an examination and evaluation of
7 benefits, advantages, and cost; (c) a comprehensive risk assessment
8 based on the proposed project's impact on both citizens and state
9 operations, its visibility, and the consequences of doing nothing; (d)
10 the impact on agency and statewide information infrastructure; and (e)
11 the impact of the proposed enhancements to an agency's information
12 technology capabilities on meeting service delivery demands.

13 (5) The agency shall produce a comprehensive management plan for
14 each project. The plan or plans shall address all factors critical to
15 successful completion of each project. The plan(s) shall include, but
16 is not limited to, the following elements: A description of the
17 problem or opportunity that the information technology project is
18 intended to address; a statement of project objectives and assumptions;
19 a definition and schedule of phases, tasks, and activities to be
20 accomplished; and the estimated cost of each phase. The planning for
21 the phased approach shall be such that the business case justification
22 for a project needs to demonstrate how the project recovers cost or
23 adds measurable value or positive cost benefit to the agency's business
24 functions within each development cycle.

25 (6) The agency shall produce quality assurance plans for
26 information technology projects. Consistent with the direction of the
27 information services board and the published policies and guidelines of
28 the department of information services, the quality assurance plan
29 shall address all factors critical to successful completion of the
30 project and successful integration with the agency and state
31 information technology infrastructure. At a minimum, quality assurance
32 plans shall provide time and budget benchmarks against which project
33 progress can be measured, a specification of quality assurance
34 responsibilities, and a statement of reporting requirements. The
35 quality assurance plans shall set out the functionality requirements
36 for each phase of a project.

37 (7) A copy of each feasibility study, project management plan, and
38 quality assurance plan shall be provided to the department of

1 information services, the office of financial management, and
2 legislative fiscal committees. The plans and studies shall demonstrate
3 a sound business case that justifies the investment of taxpayer funds
4 on any new project, an assessment of the impact of the proposed system
5 on the existing information technology infrastructure, the disciplined
6 use of preventative measures to mitigate risk, and the leveraging of
7 private-sector expertise as needed. Authority to expend any funds for
8 individual information systems projects is conditioned on the approval
9 of the relevant feasibility study, project management plan, and quality
10 assurance plan by the department of information services and the office
11 of financial management.

12 (8) Quality assurance status reports shall be submitted to the
13 department of information services, the office of financial management,
14 and legislative fiscal committees at intervals specified in the
15 project's quality assurance plan.

16 NEW SECTION. **Sec. 603. FUND TRANSFERS.** (1) The transportation
17 2003 projects or improvements and the 2005 transportation partnership
18 projects or improvements are listed in LEAP Transportation Document
19 2007-1, which consists of a list of specific projects by fund source
20 and amount over a sixteen year period. Current biennium funding for
21 each project is a line item appropriation, while the outer year funding
22 allocations represent a sixteen year balanced plan. The department is
23 expected to use the flexibility provided in this section to assist in
24 the delivery and completion of all transportation partnership account
25 and transportation 2003 (nickel) account projects on the LEAP lists
26 referenced in this act. For the 2007-09 project appropriations, unless
27 otherwise provided in this act, the director of financial management
28 may authorize a transfer of appropriation authority between projects
29 funded with transportation 2003 account (nickel account)
30 appropriations, transportation partnership account appropriations, or
31 multimodal transportation account appropriations, in order to manage
32 project spending and efficiently deliver all projects in the respective
33 program under the following conditions and limitations:

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

36 (b) Transfers from a project may not be made as a result of the

1 reduction of the scope of a project, nor shall a transfer be made to
2 support increases in the scope of a project;

3 (c) Each transfer between projects may only occur if the director
4 of financial management finds that any resulting change will not hinder
5 the completion of the projects as approved by the legislature;

6 (d) Transfers from a project may be made if the funds appropriated
7 to the project are in excess of the amount needed to complete the
8 project;

9 (e) Transfers may not occur to projects not identified on the
10 applicable project list; and

11 (f) Transfers may not be made while the legislature is in session.

12 (2) At the time the department submits a request to transfer funds
13 under this section a copy of the request shall be submitted to the
14 transportation committees of the legislature.

15 (3) The office of financial management shall work with legislative
16 staff of the house of representatives and senate transportation
17 committees to review the requested transfers.

18 (4) The office of financial management shall document approved
19 transfers and/or schedule changes in the transportation executive
20 information system (TEIS), compare changes to the legislative baseline
21 funding and schedules identified by project identification number
22 identified in the LEAP lists adopted in this act, and transmit revised
23 project lists to chairs of the transportation committees of the
24 legislature on a quarterly basis.

25 NEW SECTION. **Sec. 604. MEGA-PROJECT REPORTING.** Mega-projects are
26 defined as individual or groups of related projects that cost
27 \$1,000,000,000 or more. These projects include, but are not limited
28 to: Alaskan Way Viaduct, SR 520, SR 167, I-405, North Spokane
29 corridor, I-5 Tacoma HOV, and the Columbia River Crossing. The office
30 of financial management shall track mega-projects and report the
31 financial status and schedule of these projects at least once a year to
32 the transportation committees of the legislature. The design of mega-
33 projects must be evaluated considering cost, capacity, safety, mobility
34 needs, and how well the design of the facility fits within its urban
35 environment.

1 NEW SECTION. **Sec. 605.** Based on the anticipated outcomes of the
2 tolling study, to be conducted under section 206 of this act, the
3 legislature intends that tolls be charged to offset or partially offset
4 the costs for the following projects, and that a managed lane concept
5 be applied in their design and implementation: State Route 520 Bridge
6 replacement and HOV project, and widening of Interstate 405.

7 **MISCELLANEOUS 2007-09 BIENNIUM**

8 **Sec. 701.** RCW 46.68.170 and 1996 c 237 s 2 are each amended to
9 read as follows:

10 There is hereby created in the motor vehicle fund the RV account.
11 All moneys hereafter deposited in said account shall be used by the
12 department of transportation for the construction, maintenance, and
13 operation of recreational vehicle sanitary disposal systems at safety
14 rest areas in accordance with the department's highway system plan as
15 prescribed in chapter 47.06 RCW. During the 2005-2007 and 2007-2009
16 fiscal biennia, the legislature may transfer from the RV account to the
17 motor vehicle fund such amounts as reflect the excess fund balance of
18 the RV account.

19 **Sec. 702.** RCW 47.29.170 and 2006 c 370 s 604 are each amended to
20 read as follows:

21 Before accepting any unsolicited project proposals, the commission
22 must adopt rules to facilitate the acceptance, review, evaluation, and
23 selection of unsolicited project proposals. These rules must include
24 the following:

- 25 (1) Provisions that specify unsolicited proposals must meet
26 predetermined criteria;
- 27 (2) Provisions governing procedures for the cessation of
28 negotiations and consideration;
- 29 (3) Provisions outlining that unsolicited proposals are subject to
30 a two-step process that begins with concept proposals and would only
31 advance to the second step, which are fully detailed proposals, if the
32 commission so directed;
- 33 (4) Provisions that require concept proposals to include at least
34 the following information: Proposers' qualifications and experience;

1 description of the proposed project and impact; proposed project
2 financing; and known public benefits and opposition; and

3 (5) Provisions that specify the process to be followed if the
4 commission is interested in the concept proposal, which must include
5 provisions:

6 (a) Requiring that information regarding the potential project
7 would be published for a period of not less than thirty days, during
8 which time entities could express interest in submitting a proposal;

9 (b) Specifying that if letters of interest were received during the
10 thirty days, then an additional sixty days for submission of the fully
11 detailed proposal would be allowed; and

12 (c) Procedures for what will happen if there are insufficient
13 proposals submitted or if there are no letters of interest submitted in
14 the appropriate time frame.

15 The commission may adopt other rules as necessary to avoid
16 conflicts with existing laws, statutes, or contractual obligations of
17 the state.

18 The commission may not accept or consider any unsolicited proposals
19 before (~~June 30, 2007~~) July 1, 2009.

20 NEW SECTION. Sec. 703. To the extent that any appropriation
21 authorizes expenditures of state funds from the motor vehicle account,
22 special category C account, Tacoma Narrows toll bridge account,
23 transportation 2003 account (nickel account), transportation
24 partnership account, transportation improvement account, Puget Sound
25 capital construction account, multimodal transportation account, or
26 other transportation capital project account in the state treasury for
27 a state transportation program that is specified to be funded with
28 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
29 legislature declares that any such expenditures made prior to the issue
30 date of the applicable transportation bonds for that state
31 transportation program are intended to be reimbursed from proceeds of
32 those transportation bonds in a maximum amount equal to the amount of
33 such appropriation.

34 **Sec. 704.** RCW 46.16.685 and 2003 c 370 s 4 are each amended to
35 read as follows:

36 The license plate technology account is created in the state

1 treasury. All receipts collected under RCW 46.01.140(4)(e)(ii) must be
2 deposited into this account. Expenditures from this account must
3 support current and future license plate technology and systems
4 integration upgrades for both the department and correctional
5 industries. Moneys in the account may be spent only after
6 appropriation. Additionally, the moneys in this account may be used to
7 reimburse the motor vehicle account for any appropriation made to
8 implement the digital license plate system. During the 2007-2009
9 fiscal biennium, the legislature may transfer from the license plate
10 technology account to the multimodal transportation account such
11 amounts as reflect the excess fund balance of the license plate
12 technology account.

13 **Sec. 705.** RCW 47.01.390 and 2006 c 311 s 27 are each amended to
14 read as follows:

15 (1) Prior to commencing construction on either project, the
16 department of transportation must complete all of the following
17 requirements for both the Alaskan Way viaduct and Seattle Seawall
18 replacement project, and the state route number 520 bridge replacement
19 and HOV project: (a) In accordance with the national environmental
20 policy act, the department must designate the preferred alternative,
21 prepare a substantial project mitigation plan, and complete a
22 comprehensive cost estimate review using the department's cost estimate
23 validation process, for each project; (b) in accordance with all
24 applicable federal highway administration planning and project
25 management requirements, the department must prepare a project finance
26 plan for each project that clearly identifies secured and anticipated
27 fund sources, cash flow timing requirements, and project staging and
28 phasing plans if applicable; and (c) the department must report these
29 results for each project to the joint transportation committee.

30 (2) The requirements of this section shall not apply to (a) utility
31 relocation work, and related activities, on the Alaskan Way viaduct and
32 Seattle Seawall replacement project and (b) off-site pontoon
33 construction supporting the state route number 520 bridge replacement
34 and HOV project.

35 (3) The requirements of subsection (1) of this section shall not
36 apply during the 2007-2009 fiscal biennium.

1 **Sec. 706.** RCW 88.16.090 and 2005 c 26 s 2 are each amended to read
2 as follows:

3 (1) A person may pilot any vessel subject to this chapter on waters
4 covered by this chapter only if licensed to pilot such vessels on such
5 waters under this chapter.

6 (2)(a) A person is eligible to be licensed as a pilot if the
7 person:

8 (i) Is a citizen of the United States;

9 (ii) Is over the age of twenty-five years and under the age of
10 seventy years;

11 (iii) Is a resident of the state of Washington at the time of
12 licensure as a pilot;

13 (iv)(A) Holds at the time of application, as a minimum, a United
14 States government license as master of steam or motor vessels of not
15 more than one thousand six hundred gross register tons (three thousand
16 international tonnage convention tons) upon oceans, near coastal
17 waters, or inland waters; or the then most equivalent federal license
18 as determined by the board; any such license to have been held by the
19 applicant for a period of at least two years before application;

20 (B) Holds at the time of licensure as a pilot, after successful
21 completion of the board-required training program, a first class United
22 States endorsement without restrictions on the United States government
23 license for the pilotage district in which the pilot applicant desires
24 to be licensed; however, all applicants for a pilot examination
25 scheduled to be given before July 1, 2008, must have the United States
26 pilotage endorsement at the time of application; and

27 (C) The board may establish such other federal license requirements
28 for applicants and pilots as it deems appropriate; and

29 (v) Successfully completes a board-specified training program.

30 (b) In addition to the requirements of (a) of this subsection, a
31 pilot applicant must meet such other qualifications as may be required
32 by the board.

33 (c) A person applying for a license under this section shall not
34 have been convicted of an offense involving drugs or the personal
35 consumption of alcohol in the twelve months prior to the date of
36 application. This restriction does not apply to license renewals under
37 this section.

1 (3) The board may establish such other training license and pilot
2 license requirements as it deems appropriate.

3 (4) Pilot applicants shall be evaluated and ranked in a manner
4 specified by the board based on their experience, other qualifications
5 as may be set by the board, performance on a written examination or
6 examinations established by the board, and performance in such other
7 evaluation exercises as may be required by the board, for entry into a
8 board-specified training program.

9 When the board determines that the demand for pilots requires entry
10 of an applicant into the training program it shall issue a training
11 license to that applicant, but under no circumstances may an applicant
12 be issued a training license more than four years after taking the
13 written entry examination. The training license authorizes the trainee
14 to do such actions as are specified in the training program.

15 After the completion of the training program the board shall
16 evaluate the trainee's performance and knowledge. The board, as it
17 deems appropriate, may then issue a pilot license, delay the issuance
18 of the pilot license, deny the issuance of the pilot license, or
19 require further training and evaluation.

20 (5) The board may appoint a special independent committee or may
21 contract with a firm knowledgeable and experienced in the development
22 of professional tests and evaluations for development and grading of
23 the examinations and other evaluation methods. Active licensed state
24 pilots may be consulted for the general development of any examinations
25 and evaluation exercises but shall have no knowledge of the specific
26 questions. The pilot members of the board may participate in the
27 grading of examinations. If the board does appoint a special
28 examination or evaluation development committee it is authorized to pay
29 the members of the committee the same compensation and travel expenses
30 as received by members of the board. Any person who willfully gives
31 advance knowledge of information contained on a pilot examination or
32 other evaluation exercise is guilty of a gross misdemeanor.

33 (6) Pilots are licensed under this section for a term of five years
34 from and after the date of the issuance of their respective state
35 licenses. Licenses must thereafter be renewed as a matter of course,
36 unless the board withholds the license for good cause. Each pilot
37 shall pay to the state treasurer an annual license fee (~~of three~~
38 ~~thousand dollars~~) in an amount set by the board by rule. The fees

1 established under this subsection may be increased in excess of the
2 fiscal growth factor as provided in RCW 43.135.055 through the fiscal
3 year ending June 30, 2009. The fees must be deposited in the state
4 treasury to the credit of the pilotage account. The board may assess
5 partially active or inactive pilots a reduced fee.

6 (7) All pilots and applicants are subject to an annual physical
7 examination by a physician chosen by the board. The physician shall
8 examine the applicant's heart, blood pressure, circulatory system,
9 lungs and respiratory system, eyesight, hearing, and such other items
10 as may be prescribed by the board. After consultation with a physician
11 and the United States coast guard, the board shall establish minimum
12 health standards to ensure that pilots licensed by the state are able
13 to perform their duties. Within ninety days of the date of each annual
14 physical examination, and after review of the physician's report, the
15 board shall make a determination of whether the pilot or applicant is
16 fully able to carry out the duties of a pilot under this chapter. The
17 board may in its discretion check with the appropriate authority for
18 any convictions of offenses involving drugs or the personal consumption
19 of alcohol in the prior twelve months.

20 (8) The board may require vessel simulator training for a pilot
21 applicant and shall require vessel simulator training for a licensed
22 pilot subject to RCW 88.16.105. The board shall also require vessel
23 simulator training in the first year of active duty for a new pilot and
24 at least once every five years for all active pilots.

25 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
26 reporting requirements and review procedures as may be necessary to
27 assure the accuracy and validity of license and service claims.
28 Willful misrepresentation of such required information by a pilot
29 applicant shall result in disqualification of the pilot applicant.

30 **Sec. 707.** RCW 47.12.244 and 1991 c 291 s 2 are each amended to
31 read as follows:

32 There is created the "advance right of way revolving fund" in the
33 custody of the treasurer, into which the department is authorized to
34 deposit directly and expend without appropriation:

35 (1) An initial deposit of ten million dollars from the motor
36 vehicle fund included in the department of transportation's 1991-93
37 budget;

1 (2) All moneys received by the department as rental income from
2 real properties that are not subject to federal aid reimbursement,
3 except moneys received from rental of capital facilities properties as
4 defined in chapter 47.13 RCW; and

5 (3) Any federal moneys available for acquisition of right of way
6 for future construction under the provisions of section 108 of Title
7 23, United States Code.

8 (4) During the 2007-09 fiscal biennium, the legislature may
9 transfer from the advance right of way revolving fund to the motor
10 vehicle account amounts as reflect the excess fund balance of the
11 advance right of way revolving fund.

12 **Sec. 708.** RCW 70.95.521 and 2005 c 354 s 3 are each amended to
13 read as follows:

14 The waste tire removal account is created in the state treasury.
15 All receipts from tire fees imposed under RCW 70.95.510 must be
16 deposited in the account. Moneys in the account may be spent only
17 after appropriation. Expenditures from the account may be used for the
18 cleanup of unauthorized waste tire piles and measures that prevent
19 future accumulation of unauthorized waste tire piles. During the 2007-
20 2009 fiscal biennium, the legislature may transfer from the waste tire
21 removal account to the motor vehicle fund such amounts as reflect the
22 excess fund balance of the waste tire removal account.

23 NEW SECTION. **Sec. 709.** The department of transportation, in
24 conjunction with the office of financial management, must implement the
25 governmental accounting standards board's (GASB) statement number 34
26 including a complete inventory and valuation of the state's highway
27 system. The financial reporting value of the state's highway system
28 must be adjusted for any new additions to the system. The biennial
29 reporting of the condition of the system must be related to the funding
30 levels of maintaining the system. The department must maintain a
31 current inventory of the state's highway system and estimate the actual
32 cost to maintain and preserve the assets. In addition to the GASB
33 statement 34, the department of transportation with the office of
34 financial management's assistance must establish an asset replacement
35 value for the entire state's highway system. During 2007, the cochairs
36 of the joint transportation committee shall select legislators to work

1 with the office of financial management and the department of
2 transportation. The purpose of this effort is to enhance decision
3 making that will result in strategic long-term investment decisions in
4 transportation capital project management and asset preservation. The
5 office of financial management will coordinate and manage the inventory
6 and the valuation. The office of financial management must submit a
7 final report to the legislative transportation committees on or before
8 December 1, 2008.

9 **Sec. 710.** RCW 47.06A.030 and 1999 c 216 s 2 are each amended to
10 read as follows:

11 (1) The freight mobility strategic investment board is created.
12 The board shall convene by July 1, 1998.

13 (2) The board is composed of twelve members. The following members
14 are appointed by the governor for terms of four years, except that five
15 members initially are appointed for terms of two years: (a) Two
16 members, one of whom is from a city located within or along a strategic
17 freight corridor, appointed from a list of at least four persons
18 nominated by the association of Washington cities or its successor; (b)
19 two members, one of whom is from a county having a strategic freight
20 corridor within its boundaries, appointed from a list of at least four
21 persons nominated by the Washington state association of counties or
22 its successor; (c) two members, one of whom is from a port district
23 located within or along a strategic freight corridor, appointed from a
24 list of at least four persons nominated by the Washington public ports
25 association or its successor; (d) one member representing the office of
26 financial management; (e) one member appointed as a representative of
27 the trucking industry; (f) one member appointed as a representative of
28 the railroads; (g) the secretary of the department of transportation;
29 (h) one member representing the steamship industry; and (i) one member
30 of the general public. For the 2007-09 biennium, the board shall also
31 include a representative of organized labor. In appointing the general
32 public member, the governor shall endeavor to appoint a member with
33 special expertise in relevant fields such as public finance, freight
34 transportation, or public works construction. The governor shall
35 appoint the general public member as chair of the board. In making
36 appointments to the board, the governor shall ensure that each
37 geographic region of the state is represented.

1 (3) Members of the board shall be reimbursed for reasonable and
2 customary travel expenses as provided in RCW 43.03.050 and 43.03.060.

3 (4) If a vacancy on the board occurs by death, resignation, or
4 otherwise, the governor shall fill the vacant position for the
5 unexpired term. Each vacancy in a position appointed from lists
6 provided by the associations and departments under subsection (2) of
7 this section must be filled from a list of at least four persons
8 nominated by the relevant association or associations.

9 (5) The appointments made in subsection (2) of this section are not
10 subject to confirmation.

11 **Sec. 711.** RCW 46.16.725 and 2005 c 319 s 119 and 2005 c 210 s 7
12 are each reenacted and amended to read as follows:

13 (1) The creation of the board does not in any way preclude the
14 authority of the legislature to independently propose and enact special
15 license plate legislation.

16 (2) The board must review and either approve or reject special
17 license plate applications submitted by sponsoring organizations.

18 (3) Duties of the board include but are not limited to the
19 following:

20 (a) Review and approve the annual financial reports submitted by
21 sponsoring organizations with active special license plate series and
22 present those annual financial reports to the senate and house
23 transportation committees;

24 (b) Report annually to the senate and house transportation
25 committees on the special license plate applications that were
26 considered by the board;

27 (c) Issue approval and rejection notification letters to sponsoring
28 organizations, the department, the chairs of the senate and house of
29 representatives transportation committees, and the legislative sponsors
30 identified in each application. The letters must be issued within
31 seven days of making a determination on the status of an application;

32 (d) Review annually the number of plates sold for each special
33 license plate series created after January 1, 2003. The board may
34 submit a recommendation to discontinue a special plate series to the
35 chairs of the senate and house of representatives transportation
36 committees;

1 (e) Provide policy guidance and directions to the department
2 concerning the adoption of rules necessary to limit the number of
3 special license plates that an organization or a governmental entity
4 may apply for.

5 (4) In order to assess the effects and impact of the proliferation
6 of special license plates, the legislature declares a temporary
7 moratorium on the issuance of any additional plates until (~~June 1,~~
8 ~~2007~~) July 1, 2009. During this period of time, the special license
9 plate review board created in RCW 46.16.705 and the department of
10 licensing are prohibited from accepting, reviewing, processing, or
11 approving any applications. Additionally, no special license plate may
12 be enacted by the legislature during the moratorium, unless the
13 proposed license plate has been approved by the board before February
14 15, 2005.

15 NEW SECTION. **Sec. 712.** It is the intent of the legislature to
16 establish policy goals for the planning, operation, performance of, and
17 investment in, the state's transportation system. The policy goals
18 established under this section are deemed consistent with the benchmark
19 categories adopted by the state's blue ribbon commission on
20 transportation on November 30, 2000. Public investments in
21 transportation should support achievement of these policy goals:

22 (a) Preservation: To maintain, preserve, and extend the life and
23 utility of prior investments in transportation systems and services;

24 (b) Safety: To provide for and improve the safety and security of
25 transportation customers and the transportation system;

26 (c) Mobility: To improve the predictable movement of goods and
27 people throughout Washington state;

28 (d) Environment: To enhance Washington's quality of life through
29 transportation investments that promote energy conservation, enhance
30 healthy communities, and protect the environment; and

31 (e) Stewardship: To continuously improve the quality,
32 effectiveness, and efficiency of the transportation system.

33 NEW SECTION. **Sec. 713. FOR THE DEPARTMENT OF TRANSPORTATION**
34 Transportation Infrastructure Account--State
35 Appropriation \$7,000,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The Palouse River and Coulee City (PCC)
3 rail line system is made up of the CW, P&L and PV Hooper rail lines.
4 The amount provided in this section is provided solely for grants to
5 any intergovernmental entity or local rail district to which operating
6 rights for the PCC rail line system are assigned, provided that the
7 funds are used only to refurbish the rail lines. It is the intent of
8 the legislature to make the funds appropriated in this section
9 available as grants to an intergovernmental entity or local rail
10 district for the purposes stated in this section at least until June
11 30, 2012, and to reappropriate as necessary any portion of the
12 appropriation in this section that is not used by June 30, 2009.

13 **Sec. 714.** RCW 46.68.060 and 1969 c 99 s 11 are each amended to
14 read as follows:

15 There is hereby created in the state treasury a fund to be known as
16 the highway safety fund to the credit of which shall be deposited all
17 moneys directed by law to be deposited therein. This fund shall be
18 used for carrying out the provisions of law relating to driver
19 licensing, driver improvement, financial responsibility, cost of
20 furnishing abstracts of driving records and maintaining such case
21 records, and to carry out the purposes set forth in RCW 43.59.010.
22 During the 2005-2007 and 2007-2009 fiscal biennia, the legislature may
23 transfer from the highway safety fund to the motor vehicle fund and the
24 multimodal transportation account such amounts as reflect the excess
25 fund balance of the highway safety fund.

26 **2005-07 BIENNIUM**
27 **TRANSPORTATION AGENCIES--OPERATING**

28 **Sec. 801.** 2006 c 53 s 2 (uncodified) is amended to read as
29 follows:

30 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

31 Pilotage Account--State Appropriation	((\$1,017,000))
32	<u>\$1,317,000</u>

33 ~~((The appropriation in this section is subject to the following~~

1 ~~conditions and limitations: \$500,000 of the appropriation is provided~~
2 ~~solely for stipends to trainees in the training program as set forth in~~
3 ~~rules adopted by the board.)~~)

4 NEW SECTION. Sec. 802. A new section is added to 2005 c 313
5 (uncodified) to read as follows:

6 **FOR THE DEPARTMENT OF LICENSING.** The appropriations to the
7 department of licensing in chapter 370, Laws of 2006 shall be expended
8 for the programs and in the amounts specified herein. However, after
9 May 1, 2007, unless specifically prohibited, the department may
10 transfer motor vehicle account--state appropriations for the 2005-2007
11 fiscal biennium, highway safety account--state appropriations for the
12 2005-2007 fiscal biennium, and department of licensing services
13 account--state appropriations for the 2005-2007 fiscal biennium between
14 programs after approval by the director of financial management.
15 However, the department shall not transfer state moneys that are
16 provided solely for a specified purpose. The director of financial
17 management shall notify the appropriate fiscal committees of the senate
18 and house of representatives in writing prior to approving any
19 allotment modifications or transfers under this section.

20 NEW SECTION. Sec. 803. A new section is added to 2005 c 313
21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to the
23 department of transportation in this act shall be expended for the
24 programs and in the amounts specified in this act. However, in order
25 to meet extraordinary ferry operating labor expenses, after May 1,
26 2007, unless specifically prohibited by this act, the department may
27 transfer state appropriations among operating programs after approval
28 by the director of financial management. However, the department shall
29 not transfer state moneys that are provided solely for a specified
30 purpose.

31 (2) The department shall not transfer funds, and the director of
32 financial management shall not approve the transfer, unless the
33 transfer is consistent with the objective of conserving, to the maximum
34 extent possible, the expenditure of state funds and not federal funds.
35 The director of financial management shall notify the appropriate
36 transportation committees of the legislature in writing seven days

1 prior to approving any allotment modifications or transfers under this
2 subsection. The written notification shall include a narrative
3 explanation and justification of the changes, along with expenditures
4 and allotments by program and appropriation, both before and after any
5 allotment modifications or transfers.

6 **Sec. 804.** 2006 c 370 s 205 (uncodified) is amended to read as
7 follows:

8 **FOR THE JOINT TRANSPORTATION COMMITTEE**

9 Motor Vehicle Account--State Appropriation \$1,679,000

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

12 (1)(a) \$200,000 of the total appropriation is provided solely for
13 the joint transportation committee to conduct a finance study of the
14 Washington state ferry system. The purpose of the study is to
15 facilitate policy discussions and decisions by members of the
16 legislature regarding the Washington state ferry system. The
17 legislature recognizes there is a need within the Washington state
18 ferry system for predictable cash flows, transparency, assessment of
19 organizational structure, verification that the Washington state ferry
20 system is operating at maximum efficiency, and better labor relations.
21 The committee shall report the study to the house of representatives
22 and senate transportation committees by January 1, 2007.

23 (b) The study must include, at a minimum, a review and evaluation
24 of the ferry system's financial plan, including current assumptions and
25 past studies, in the following areas:

26 (i) Operating program, including ridership, revenue, and cost
27 forecasts and the accuracy of those forecasts; and

28 (ii) Capital program, including project scoping, prioritization and
29 cost estimating, project changes including legislative input regarding
30 significant project changes, and performance measures.

31 (c) In addition to committee members, or their designees, the
32 governor shall appoint a representative for this study. The committee
33 may retain consulting services to assist the committee in conducting
34 the study, including the evaluation of financial, operating, and
35 capital plans. The committee may also appoint other persons to assist
36 with the study.

1 (2) The joint transportation committee shall conduct a study
2 regarding the feasibility of a statewide uniform motor vehicle excise
3 tax (MVET) depreciation schedule. In addition to committee members,
4 the participants in the study must include at a minimum the following
5 individuals: (a) A representative of a regional transit authority
6 (Sound Transit); (b) a representative of a regional transportation
7 planning organization; (c) the secretary of transportation, or his or
8 her designee; (d) a representative of the attorney general's office;
9 (e) a representative of the department of licensing; and (f) a
10 representative of the financial community. The purpose of the study is
11 to develop an MVET depreciation schedule that more accurately reflects
12 vehicle value but does not hinder outstanding contractual obligations.

13 (3) Funds provided in this section are sufficient for the committee
14 to administer a study of the most reliable and cost-effective means of
15 providing passenger-only ferry service.

16 (a) The study shall be guided by a 18 member task force consisting
17 of the chairs and ranking members of the house of representatives and
18 senate transportation committees, a designee of the director of the
19 office of financial management, a member of the transportation
20 commission, a designee of the secretary of transportation, a
21 representative of organized labor, and ten stakeholders to be appointed
22 by the governor as follows: Six representatives of ferry user
23 communities, two representatives of public transportation agencies, and
24 two representatives of commercial ferry operators.

25 (b) The study shall examine issues including but not limited to the
26 long-term viability of different service providers, cost to ferry
27 passengers, the state subsidies required by each provider, and the
28 availability of federal funding for the different service providers.

29 (c) By November 30, 2005, the task force shall make its
30 recommendations to the house of representatives and senate
31 transportation committees.

32 (4) (~~(\$450,000 of the motor vehicle account state appropriation is~~
33 ~~provided solely to administer a consultant study of the long term~~
34 ~~viability of the state's transportation financing methods and sources.~~

35 ~~(a) At a minimum, the study must examine the following: (i) The~~
36 ~~short and long term viability of the motor fuel tax (both state and~~
37 ~~federal) as a major source of funding for transportation projects and~~
38 ~~programs; (ii) the desirability and effectiveness of state distributed~~

1 ~~transportation funds for the benefit of local units of government;~~
2 ~~(iii) the potential for alternative and/or emerging sources of~~
3 ~~transportation revenues, with particular emphasis on user based fees~~
4 ~~and charges; and (iv) trends and implications of debt financing for~~
5 ~~transportation projects. The scope of work for the study may be~~
6 ~~expanded to include analysis of other financing issues relevant to the~~
7 ~~long term viability of the state's transportation system.~~

8 ~~(b) The findings and recommendations must be submitted to the~~
9 ~~fiscal committees of the legislature by November 1, 2006.~~

10 ~~(5))~~ \$75,000 of the motor vehicle account--state appropriation is
11 provided solely for the joint transportation committee to contract for
12 a review of existing research on programs and policies which decrease
13 accidents by teenage drivers, including but not limited to publicly
14 operated driver education and intermediate drivers licensing programs.
15 The institute shall also evaluate the costs and benefits of programs
16 and policies showing the greatest positive impact on teenage driving
17 safety.

18 ~~((6))~~ (5) The committee shall conduct an evaluation of the
19 department of transportation surface transportation program enhancement
20 grant program. The evaluation will include (a) information about the
21 categories of projects submitted for consideration; (b) a review of the
22 allocation of funds awarded across the categories of STP enhancement
23 eligible activities; (c) a review of the criteria used to score
24 projects; and (d) a finding by the committee whether certain categories
25 of projects are disproportionately funded or unfunded.

26 **Sec. 805.** 2006 c 370 s 208 (uncodified) is amended to read as
27 follows:

28 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

29 State Patrol Highway Account--State Appropriation . . .	(((\$201,063,000))
	<u>\$198,984,000</u>
31 State Patrol Highway Account--Federal Appropriation . . .	\$10,544,000
32 State Patrol Highway Account--Private/Local Appropriation . .	\$169,000
33 TOTAL APPROPRIATION	(((\$211,776,000))
	<u>\$209,697,000</u>

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

1 (1) Washington state patrol officers engaged in off-duty uniformed
2 employment providing traffic control services to the department of
3 transportation or other state agencies may use state patrol vehicles
4 for the purpose of that employment, subject to guidelines adopted by
5 the chief of the Washington state patrol. The Washington state patrol
6 shall be reimbursed for the use of the vehicle at the prevailing state
7 employee rate for mileage and hours of usage, subject to guidelines
8 developed by the chief of the Washington state patrol. The patrol
9 shall report to the house of representatives and senate transportation
10 committees by December 31, 2005, on the use of agency vehicles by
11 officers engaging in the off-duty employment specified in this
12 subsection. The report shall include an analysis that compares cost
13 reimbursement and cost-impacts, including increased vehicle mileage,
14 maintenance costs, and indirect impacts, associated with the private
15 use of patrol vehicles.

16 (2) In addition to the user fees, the patrol shall transfer into
17 the state patrol nonappropriated airplane revolving account under RCW
18 43.79.470 no more than the amount of appropriated state patrol highway
19 account and general fund funding necessary to cover the costs for the
20 patrol's use of the aircraft. The state patrol highway account and
21 general fund--state funds shall be transferred proportionately in
22 accordance with a cost allocation that differentiates between highway
23 traffic enforcement services and general policing purposes.

24 (3) The patrol shall not account for or record locally provided DUI
25 cost reimbursement payments as expenditure credits to the state patrol
26 highway account. The patrol shall report the amount of expected
27 locally provided DUI cost reimbursements to the transportation
28 committees of the senate and house of representatives by December 31st
29 of each year.

30 (4) The state patrol highway account--state appropriation for DUI
31 reimbursements shall only be spent for pursuit vehicle video cameras,
32 datamaster DUI testing equipment, tire deflator equipment, and taser
33 guns. The Washington state patrol prior to the issuance of any taser
34 guns will train the troopers on using the equipment. The agency will
35 provide a report to the transportation committees of the senate and
36 house of representatives by December 31st of each year on the
37 occurrences where the taser guns were utilized along with any issues
38 that have been identified.

1 (5) \$29,000 of the state patrol highway account--state
2 appropriation is provided solely for the implementation of House Bill
3 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
4 amount provided in this subsection shall lapse.

5 (6) \$5,580,000 of the total appropriation is provided solely for a
6 3.8% salary increase for commissioned officers effective July 1, 2005,
7 in addition to any other salary increases provided for in this act.

8 (7) The Washington state patrol is authorized to use certificates
9 of participation to fund the King Air aircraft replacement over a term
10 of not more than ten years and an amount not to exceed \$1,900,000.

11 (8)(a) \$834,000 of the state patrol highway account--state
12 appropriation is provided solely for the collective bargaining
13 agreement reached between the governor and the Washington state patrol
14 troopers association under chapter 438, Laws of 2005. For commissioned
15 troopers and sergeants covered under this section, funding is provided
16 for a 2.6% salary increase effective July 1, 2006. This increase
17 supersedes the fiscal year 2007 increase granted under section 501,
18 chapter 313, Laws of 2005. Provisions of the collective bargaining
19 agreement contained in this subsection are described in general terms.
20 Only major economic terms are included in this description. This
21 description does not contain the complete contents of the agreement.
22 Due to the timing challenges in negotiating the initial collective
23 bargaining agreement under chapter 438, Laws of 2005, this agreement
24 was not concluded by the October 1st statutory deadline. However, the
25 legislature does not intend to fund bargaining agreements concluded
26 after the October 1st deadline, or other salary increases not included
27 in the governor's budget proposal, in future biennia.

28 (b) \$62,000 of the state patrol highway account--state
29 appropriation is provided solely for salary increases for commissioned
30 captains and lieutenants covered under this section, if a new
31 collective bargaining agreement is reached between the governor and the
32 Washington state patrol lieutenants association by July 1, 2006. The
33 amount provided in this subsection is contingent on an agreement being
34 reached by July 1, 2006, and shall be held in reserve status until the
35 agreement is reached. If an agreement is not reached by July 1, 2006,
36 the amount provided in this subsection shall lapse. If an agreement is
37 reached by July 1, 2006, the increase supersedes the fiscal year 2007
38 increase granted under section 501, chapter 313, Laws of 2005. Due to

1 the timing challenges in negotiating a collective bargaining agreement
2 funded under this subsection, the agreement will not have been
3 concluded by the October 1st statutory deadline. However, the
4 legislature does not intend to fund bargaining agreements concluded
5 after the October 1st deadline, or other salary increases not included
6 in the governor's budget proposal, in future biennia.

7 (9) The Washington state patrol, in consultation with the
8 department of licensing, local law enforcement agencies, and other
9 appropriate organizations, shall study the options for implementing an
10 inspection program for tow truck operators that are not licensed as
11 registered tow truck operators. This study shall also evaluate
12 prospective sources of funding and the amount of funding necessary for
13 the program. The Washington state patrol shall report to the
14 transportation committees of the legislature by December 1, 2006, on
15 the options, strategies, and recommendations for implementing an
16 inspection program for tow truck operators that are not licensed as
17 registered tow truck operators.

18 (10) \$2,040,000 of the state patrol highway account--state
19 appropriation is provided solely for eighteen additional commissioned
20 officers in the vessel and terminal security division.

21 (11) The office of financial management shall conduct a review of
22 the state patrol highway account and report its findings to the
23 legislature by January 1, 2007.

24 **Sec. 806.** 2006 c 370 s 209 (uncodified) is amended to read as
25 follows:

26 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
27 State Patrol Highway Account--State Appropriation . . . (~~(\$1,358,000)~~)
28 \$1,025,000

29 **Sec. 807.** 2006 c 370 s 210 (uncodified) is amended to read as
30 follows:

31 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
32 State Patrol Highway Account--State Appropriation . . . (~~(\$91,359,000)~~)
33 \$93,280,000

34 State Patrol Highway Account--Private/Local
35 Appropriation \$2,008,000
36 TOTAL APPROPRIATION (~~(\$93,367,000)~~)

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

(1) \$247,000 of the state patrol highway account--state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1188. If Second Substitute House Bill No. 1188 is not enacted by June 30, 2005, the amount provided in this subsection shall lapse.

(2) The Washington state patrol is instructed to work with the risk management division in the office of financial management in compiling the state patrol data for establishing the agency's risk management insurance premiums to the tort claims account. The office of financial management and the Washington state patrol shall submit a report to the transportation committees of the senate and house of representatives by December 31st of each year on the number of claims, estimated claims to be paid, method of calculation, and the adjustment in the premium.

(3) \$8,678,000 of the total appropriation is provided solely for the purchase of pursuit vehicles.

(4) \$5,254,000 of the total appropriation is provided solely for vehicle repair and maintenance costs of vehicles used for highway purposes.

(5) \$384,000 of the total appropriation is provided solely for the purchase of mission vehicles used for highway purposes in the commercial vehicle and traffic investigation sections of the patrol.

(6)(a) \$28,000 of the state patrol highway account--state appropriation is provided solely for the collective bargaining agreement reached between the governor and the Washington state patrol troopers association under chapter 438, Laws of 2005. For commissioned troopers and sergeants covered under this section, funding is provided for a 2.6% salary increase effective July 1, 2006. This increase supersedes the fiscal year 2007 increase granted under section 501, chapter 313, Laws of 2005. Provisions of the collective bargaining agreement contained in this subsection are described in general terms. Only major economic terms are included in this description. This description does not contain the complete contents of the agreement. Due to the timing challenges in negotiating the initial collective bargaining agreement under chapter 438, Laws of 2005, this agreement was not concluded by the October 1st statutory deadline. However, the

1 legislature does not intend to fund bargaining agreements concluded
2 after the October 1st deadline, or other salary increases not included
3 in the governor's budget proposal, in future biennia.

4 (b) \$2,000 of the state patrol highway account--state appropriation
5 is provided solely for salary increases for commissioned captains and
6 lieutenants covered under this section, if a new collective bargaining
7 agreement is reached between the governor and the Washington state
8 patrol lieutenants association by July 1, 2006. The amount provided in
9 this subsection is contingent on an agreement being reached by July 1,
10 2006, and shall be held in reserve status until the agreement is
11 reached. If an agreement is not reached by July 1, 2006, the amount
12 provided in this subsection shall lapse. If an agreement is reached by
13 July 1, 2006, the increase supersedes the fiscal year 2007 increase
14 granted under section 501, chapter 313, Laws of 2005. Due to the
15 timing challenges in negotiating a collective bargaining agreement
16 funded under this subsection, the agreement will not have been
17 concluded by the October 1st statutory deadline. However, the
18 legislature does not intend to fund bargaining agreements concluded
19 after the October 1st deadline, or other salary increases not included
20 in the governor's budget proposal, in future biennia.

21 **Sec. 808.** 2006 c 370 s 215 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
24 **MAINTENANCE--PROGRAM B**

25 Tacoma Narrows Toll Bridge Account--State Appropriation ((~~\$8,294,000~~))
26 \$5,288,000

27 **Sec. 809.** 2006 c 370 s 218 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

30 Aeronautics Account--State Appropriation ((~~\$7,137,000~~))
31 \$6,925,000

32 Aeronautics Account--Federal Appropriation \$2,150,000

33 Multimodal Transportation Account--State Appropriation . . . \$100,000

34 Multimodal Transportation Account--Federal Appropriation . . \$900,000

35 TOTAL APPROPRIATION ((~~\$10,287,000~~))
36 \$10,075,000

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

3 (1)(a) \$433,000 of the aeronautics account--state appropriation is
4 provided solely for airport pavement projects. The department's
5 aviation division shall complete a priority airport pavement project
6 list by January 1, 2006, to be considered by the legislature in the
7 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
8 enacted by June 30, 2005, the amount provided in this subsection shall
9 lapse.

10 (b) If Substitute Senate Bill No. 5414 is enacted by July 1, 2005,
11 then the remaining unexpended fund balance in the aircraft search and
12 rescue, safety, and education account shall be deposited into the state
13 aeronautics account.

14 (2) The entire multimodal transportation account--state and federal
15 appropriations are provided solely for implementing Engrossed
16 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
17 No. 5121 is not enacted by June 30, 2005, or if federal funds are not
18 received by March 1, 2006, for the purpose of implementing Engrossed
19 Substitute Senate Bill No. 5121, the amount provided in this subsection
20 shall lapse.

21 **Sec. 810.** 2006 c 370 s 221 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

24 Motor Vehicle Account--State Appropriation	((\$299,720,000))
	<u>\$300,920,000</u>
26 Motor Vehicle Account--Federal Appropriation	((\$1,426,000))
	<u>\$3,926,000</u>
28 Motor Vehicle Account--Private/Local Appropriation	\$4,315,000
29 TOTAL APPROPRIATION	((\$305,461,000))
	<u>\$309,161,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) If portions of the appropriations in this section are required
34 to fund maintenance work resulting from major disasters not covered by
35 federal emergency funds such as fire, flooding, and major slides,
36 supplemental appropriations must be requested to restore state funding
37 for ongoing maintenance activities.

1 (2) The department shall request an unanticipated receipt for any
2 federal moneys received for emergency snow and ice removal and shall
3 place an equal amount of the motor vehicle account--state into
4 unallotted status. This exchange shall not affect the amount of
5 funding available for snow and ice removal.

6 (3) The department shall request an unanticipated receipt for any
7 private or local funds received for reimbursements of third party
8 damages that are in excess of the motor vehicle account--private/local
9 appropriation.

10 (4) Funding is provided for maintenance on the state system to
11 allow for a continuation of the level of service targets included in
12 the 2003-05 biennium. In delivering the program, the department should
13 concentrate on the following areas:

14 (a) Meeting or exceeding the target for structural bridge repair on
15 a statewide basis;

16 (b) Eliminating the number of activities delivered in the "f" level
17 of service at the region level;

18 (c) Reducing the number of activities delivered in the "d" level of
19 service by increasing the resources directed to those activities on a
20 statewide and region basis; and

21 (d) Evaluating, analyzing, and potentially redistributing resources
22 within and among regions to provide greater consistency in delivering
23 the program statewide and in achieving overall level of service
24 targets.

25 (5) The department shall develop and implement a plan to improve
26 work zone safety on a statewide basis. As part of the strategy
27 included in the plan, the department shall fund equipment purchases
28 using a portion of the money from the annual OTEF equipment purchasing
29 and replacement process. The department shall also identify and
30 evaluate statewide equipment needs (such as work zone safety equipment)
31 and prioritize any such needs on a statewide basis. Substitute
32 purchasing at the statewide level, when appropriate, shall be utilized
33 to meet those identified needs. The department must report to the
34 transportation committees of the legislature by December 1, 2005, on
35 the plan, and by December 1, 2006, on the status of implementing the
36 plan.

1 **Sec. 811.** 2006 c 370 s 224 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
4 **AND RESEARCH--PROGRAM T**

5	Motor Vehicle Account--State Appropriation	(((\$24,052,000)))
6		<u>\$23,053,000</u>
7	Motor Vehicle Account--Federal Appropriation	\$16,756,000
8	Multimodal Transportation Account--State Appropriation . .	\$2,279,000
9	Multimodal Transportation Account--Federal	
10	Appropriation	\$2,829,000
11	Multimodal Transportation Account--Private/Local	
12	Appropriation	\$100,000
13	Transportation Partnership Account--State	
14	Appropriation	\$2,300,000
15	TOTAL APPROPRIATION	(((\$48,316,000)))
16		<u>\$47,317,000</u>

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) In order to qualify for state planning funds available to
20 regional transportation planning organizations under this section, a
21 regional transportation planning organization containing any county
22 with a population in excess of one million shall provide voting
23 membership on its executive board to any incorporated principal city of
24 a metropolitan statistical area within the region, as designated by the
25 United States census bureau, and to any incorporated city within the
26 region with a population in excess of eighty thousand as of July 1,
27 2005. Additionally, a regional transportation planning organization
28 described under this subsection shall conduct a review of its executive
29 board membership criteria to ensure that the criteria appropriately
30 reflects a true and comprehensive representation of the organization's
31 jurisdictions of significance within the region.

32 (2) \$175,000 of the motor vehicle account--state appropriation is
33 provided to the department in accordance with RCW 46.68.110(2) and
34 46.68.120(3) and shall be used by the department to support the
35 processing and analysis of the backlog of city and county collision
36 reports by January 2006. The amount provided in this subsection shall
37 lapse if federal funds become available for this purpose.

1 (3) \$150,000 of the multimodal transportation account--state
2 appropriation is provided solely for the implementation of Engrossed
3 Second Substitute House Bill No. 1565. If Engrossed Second Substitute
4 House Bill No. 1565 is not enacted by June 30, 2005, the amount
5 provided in this subsection shall lapse.

6 (4) The department of transportation shall evaluate the number of
7 spaces available for long-haul truck parking relative to current and
8 projected future needs. The department of transportation shall also
9 explore options for augmenting the number of spaces available,
10 including, but not limited to, expanding state-owned rest areas or
11 modifying regulations governing the use of these facilities, utilizing
12 weigh stations and park and ride lots, and encouraging the expansion of
13 the private sector's role. Finally, the department shall explore the
14 utility of coordinating with neighboring states on long-haul truck
15 parking and evaluate methodologies for alleviating any air quality
16 issues relative to the issue. The department must report to the
17 transportation committees of the legislature by December 1, 2005, on
18 the options, strategies, and recommendations for long-haul truck
19 parking.

20 (5) \$50,000 of the multimodal transportation account--state
21 appropriation is provided solely for evaluating high-speed passenger
22 transportation facilities and services, including rail or magnetic
23 levitation transportation systems, to connect airports as a means to
24 more efficiently utilize airport capacity, as well as connect major
25 population and activity centers. This evaluation shall be coordinated
26 with the airport capacity and facilities market analysis conducted
27 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
28 the evaluation shall be submitted by July 1, 2007. If Engrossed
29 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
30 federal funds are not received by March 1, 2006, for the purpose of
31 implementing Engrossed Substitute Senate Bill No. 5121, the amount
32 provided in this subsection shall lapse.

33 (6) \$440,000 of the motor vehicle account--state appropriation is
34 provided solely for completing funding for a route development plan of
35 U.S. route 2.

36 (7) The department shall conduct a study of the resources allocated
37 to each of the seven department regions and the corresponding
38 workloads. Given the magnitude of the investments in the Puget Sound

1 region, particular emphasis shall be given to reviewing the resources
2 allocated and corresponding workloads with respect to the urban
3 corridors region and the northwest region. Based on the results of
4 this study, the department shall submit recommendations by December 1,
5 2006, to the legislature and the office of financial management
6 regarding reallocating resources and revising regional boundaries
7 within the department, as appropriate, in order to better coincide
8 allocated resources with designated regional boundaries.

9 (8) \$750,000 of the multimodal transportation account--state
10 appropriation is provided solely for implementing Engrossed Substitute
11 House Bill No. 2871. If Engrossed Substitute House Bill No. 2871 is
12 not enacted by June 30, 2006, the amount provided in this subsection
13 shall lapse. The regional transportation commission's duties to
14 develop, complete, and submit a governance proposal to the 2007
15 legislature are highly time sensitive. As a result, the legislature
16 finds that competitive bidding is not cost-effective or appropriate for
17 personal service contracts entered into by the commission, and that the
18 director of the office of financial management should, by the
19 director's authority under RCW 39.29.011(5), exempt any such personal
20 service contract from the competitive bidding requirements of chapter
21 39.29 RCW.

22 (9) \$2,300,000 of the transportation partnership account--state
23 appropriation is provided solely for the costs of the regional
24 transportation investment district (RTID) and department of
25 transportation project oversight. The department shall provide support
26 from its urban corridors region to assist in preparing project costs,
27 expenditure plans, and modeling. The department shall not deduct a
28 management reserve, nor charge management or overhead fees. These
29 funds are provided as a loan to the RTID and shall be repaid to the
30 state motor vehicle account within one year following the certification
31 of the election results related to the RTID.

32 (10) \$100,000 of the motor vehicle account--state appropriation is
33 provided solely to the department in accordance with RCW 46.68.110(2)
34 and 46.68.120(3) and shall be used by the department solely to conduct
35 an analysis of expanding the transportation concurrency requirements
36 prescribed under the growth management act, chapter 36.70A RCW, to
37 include development impacts on level of service standards applicable to
38 state-owned transportation facilities, including state highways and

1 state ferry routes. The objective of the analysis is to determine how
2 to ensure that jurisdictional divisions do not defeat growth management
3 act concurrency goals. The department shall convene a committee to
4 oversee the analysis, with the committee comprised of, at a minimum,
5 four members of the transportation committees of the legislature, four
6 members of the appropriate land use committees of the legislature, and
7 one member each from the association of Washington cities and the
8 Washington state association of counties, or a designee thereof. The
9 completed study, including recommendations, must be submitted to the
10 appropriate standing committees of the legislature, and to the office
11 of financial management, by December 1, 2006.

12 (11) The department of transportation, the Washington state
13 economic revenue forecast council, and the office of financial
14 management shall review and adopt a method of forecasting motor vehicle
15 and special fuel prices, revenue, and the amount of consumption that
16 has an increased rate of accuracy as compared to the existing method.
17 The three agencies shall submit a report to the transportation
18 committees of the legislature by December 1, 2006, outlining the
19 methods researched and the criteria utilized to select and adopt the
20 new fuel forecasting method.

21 (12) \$150,000 of the multimodal transportation account--state
22 appropriation is provided solely for a transportation demand management
23 program, developed by the Whatcom council of governments, to further
24 reduce drive-alone trips and maximize the use of sustainable
25 transportation choices. The community based program must focus on all
26 trips, not only commute trips, by providing education, assistance, and
27 incentives to four target audiences: (a) Large work sites; (b)
28 employees of businesses in downtown areas; (c) school children; and (d)
29 residents of Bellingham.

30 **Sec. 812.** 2006 c 370 s 225 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
33 **PROGRAM U**

34	Motor Vehicle Account--State Appropriation	((\$46,874,000))
35		<u>\$47,374,000</u>
36	Motor Vehicle Account--Federal Appropriation	\$400,000
37	TOTAL APPROPRIATION	((\$47,274,000))

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

(1) (~~(\$31,749,000)~~) \$32,209,000 of the motor vehicle fund--state appropriation is provided solely for the liabilities attributable to the department of transportation. The office of financial management must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

(2) Payments in this section represent charges from other state agencies to the department of transportation.

(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK MANAGEMENT FEES \$1,667,000

(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR \$1,026,000

(c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES \$4,049,000

(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL \$4,548,000

(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION (~~(\$31,749,000)~~) \$32,249,000

(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,717,000

(g) FOR ARCHIVES AND RECORDS MANAGEMENT \$545,000

(h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS ENTERPRISES \$1,124,000

(i) FOR PAYMENT OF THE DEPARTMENT OF PERSONNEL HRMS PAYROLL SYSTEM \$817,000

(j) FOR PAYMENT OF THE OFFICE OF FINANCIAL MANAGEMENT ROADMAP CHARGES \$12,000

(k) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT CAPITAL BUDGET SYSTEM CHARGES \$15,000

(l) FOR PAYMENT OF DEPARTMENT OF INFORMATION SERVICES RATE INCREASES \$5,000

1 **Sec. 813.** 2006 c 370 s 226 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
4 **V**

5	Multimodal Transportation Account--State	
6	Appropriation	((\$87,233,000))
7		<u>\$70,005,000</u>
8	Multimodal Transportation Account--Federal	
9	Appropriation	\$2,603,000
10	Multimodal Transportation Account--Private/Local	
11	Appropriation	\$155,000
12	TOTAL APPROPRIATION	((\$89,991,000))
13		<u>\$72,763,000</u>

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

16 (1) \$25,000,000 of the multimodal transportation account--state
17 appropriation is provided solely for a grant program for special needs
18 transportation provided by transit agencies and nonprofit providers of
19 transportation.

20 (a) \$5,500,000 of the amount provided in this subsection is
21 provided solely for grants to nonprofit providers of special needs
22 transportation. Grants for nonprofit providers shall be based on need,
23 including the availability of other providers of service in the area,
24 efforts to coordinate trips among providers and riders, and the cost
25 effectiveness of trips provided.

26 (b) \$19,500,000 of the amount provided in this subsection is
27 provided solely for grants to transit agencies to transport persons
28 with special transportation needs. To receive a grant, the transit
29 agency must have a maintenance of effort for special needs
30 transportation that is no less than the previous year's maintenance of
31 effort for special needs transportation. Grants for transit agencies
32 shall be prorated based on the amount expended for demand response
33 service and route deviated service in calendar year 2003 as reported in
34 the "Summary of Public Transportation - 2003" published by the
35 department of transportation. No transit agency may receive more than
36 thirty percent of these distributions. The first \$450,000 provided to
37 King county shall be used as follows:

1 (i) \$320,000 shall be used to provide electric buses, instead of
2 diesel buses, for service on Capital Hill in Seattle, Washington
3 through June 30, 2007;

4 (ii) \$130,000 shall be used to provide training for blind
5 individuals traveling through Rainier Valley and the greater Seattle
6 area. The training is to include destination training and retraining
7 due to the expected closure of the downtown bus tunnel and training on
8 how to use the Sound Transit light rail system.

9 (2) Funds are provided for the rural mobility grant program as
10 follows:

11 (a) \$7,000,000 of the multimodal transportation account--state
12 appropriation is provided solely for grants for those transit systems
13 serving small cities and rural areas as identified in the Summary of
14 Public Transportation - 2003 published by the department of
15 transportation. Noncompetitive grants must be distributed to the
16 transit systems serving small cities and rural areas in a manner
17 similar to past disparity equalization programs.

18 (b) \$7,000,000 of the multimodal transportation account--state
19 appropriation is provided solely to providers of rural mobility service
20 in areas not served or underserved by transit agencies through a
21 competitive grant process.

22 (3) \$8,900,000 of the multimodal transportation account--state
23 appropriation is provided solely for a vanpool grant program for: (a)
24 Public transit agencies to add vanpools; and (b) incentives for
25 employers to increase employee vanpool use. The grant program for
26 public transit agencies will cover capital costs only; no operating
27 costs for public transit agencies are eligible for funding under this
28 grant program. No additional employees may be hired from the funds
29 provided in this section for the vanpool grant program, and supplanting
30 of transit funds currently funding vanpools is not allowed. Additional
31 criteria for selecting grants must include leveraging funds other than
32 state funds.

33 (4) \$3,000,000 of the multimodal transportation account--state
34 appropriation is provided solely for the city of Seattle for the
35 Seattle streetcar project on South Lake Union.

36 (5) \$1,200,000 of the multimodal transportation account--state
37 appropriation is provided solely for the implementation of Engrossed

1 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
2 2124 is not enacted by June 30, 2005, the amount provided in this
3 subsection shall lapse.

4 (6)(a) (~~(\$20,000,000)~~) \$2,832,000 of the multimodal transportation
5 account--state appropriation is provided solely for the regional
6 mobility grant projects identified on the LEAP Transportation Document
7 2006-D, Regional Mobility Grant Program Projects as developed March 8,
8 2006. The department shall review all projects receiving grant awards
9 under this program at least semiannually to determine whether the
10 projects are making satisfactory progress. Any project that has been
11 awarded funds, but does not report activity on the project within one
12 year of the grant award, shall be reviewed by the department to
13 determine whether the grant should be terminated. The department shall
14 promptly close out grants when projects have been completed, and
15 identify where unused grant funds remain because actual project costs
16 were lower than estimated in the grant award. When funds become
17 available either because grant awards have been rescinded for lack of
18 sufficient project activity or because completed projects returned
19 excess grant funds upon project closeout, the department shall
20 expeditiously extend new grant awards to qualified alternative projects
21 identified on the list.

22 (b) Pursuant to the grant program established in RCW 47.66.030, the
23 department shall issue a call for projects and/or service proposals.
24 Applications must be received by the department by November 1, 2005,
25 and November 1, 2006. The department must submit a prioritized list
26 for funding to the transportation committees of the legislature that
27 reflects the department's recommendation, as well as, a list of all
28 project or service proposals received.

29 (7) \$2,000,000 of the multimodal transportation account--state
30 appropriation is provided solely for new tri-county connection service
31 for Island, Skagit, and Whatcom transit agencies.

32 (8) \$2,000,000 of the multimodal transportation account--state
33 appropriation is provided solely to King county as a state match to
34 obtain federal funding for a car sharing program for persons meeting
35 certain income or employment criteria.

36 (9) \$750,000 of the multimodal transportation account--state
37 appropriation is provided solely for the implementation of the local
38 government and regional transportation planning requirements in

1 Engrossed Substitute Senate Bill No. 6566 (commute trip reduction).
2 The department may use contract or temporary employees to implement the
3 bill and shall allocate the remaining funds to regional transportation
4 planning organizations, counties, and cities on an as needed basis. If
5 Engrossed Substitute Senate Bill No. 6566 is not enacted by June 30,
6 2006, the amount provided in this subsection shall lapse.

7 (10) (~~(\$200,000)~~) \$140,000 of the multimodal account appropriation
8 is provided solely for up to three low-income car ownership programs.
9 The department shall seek to leverage available federal funds from the
10 job access and reverse commute program to augment the funding provided
11 in this subsection. Additionally, the department shall report back to
12 the appropriate committees of the legislature with a review of the
13 obstacles presented by state laws on surplus property disposal to
14 community organizations reconditioning cars and selling those cars at
15 below market rates to low-income families.

16 **Sec. 814.** 2006 c 370 s 227 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

19 Puget Sound Ferry Operations Account--State

20	Appropriation	((\$372,254,000))
21		<u>\$389,249,000</u>

22 Multimodal Transportation Account--State

23	Appropriation	\$3,660,000
24	TOTAL APPROPRIATION	((\$375,914,000))
25		<u>\$392,909,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) (~~(\$75,280,000)~~) \$81,664,000 of the total appropriation is
29 provided solely for auto ferry vessel operating fuel in the 2005-2007
30 biennium.

31 (2) The maximum amount of expenditures for compensation paid to
32 ferry employees during the 2005-2007 biennium shall not exceed
33 (~~(\$226,455,000)~~) \$236,085,000. This amount reflects the sole source of
34 state funding available to support the implementation of any collective
35 bargaining agreements or arbitration awards with respect to state ferry
36 employee compensation, including salaries, wages, and employee
37 benefits, during the 2005-2007 biennium, which amount includes

1 \$6,223,000 in full satisfaction of the arbitration awards for the
2 2001-2003 biennium and \$1,339,000 for labor productivity gains
3 agreements and \$8,870,000 in full satisfaction of the arbitration
4 awards and the negotiated collective bargaining agreements for the
5 2003-2005 and 2005-2007 biennia. The department's use of this
6 expenditure authority constitutes a good faith attempt to implement
7 such agreements and awards, including those applicable to prior
8 biennia. It is the intent of the legislature that the expenditure
9 authority provided in this subsection fully satisfy any agreements or
10 awards required to be implemented during the 2005-2007 biennium, and
11 that the provisions of Substitute House Bill No. 3178 (marine employees
12 collective bargaining) will govern the implementation of agreements or
13 awards effective beginning with the 2007-2009 biennium. For the
14 purposes of this section, the expenditures for compensation paid to
15 ferry employees shall be limited to salaries and wages and employee
16 benefits as defined in the office of financial management's state
17 administrative and accounting manual, chapter 75.70, named under
18 objects of expenditure "A" and "B".

19 (3) \$1,116,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely for ferry security operations
21 necessary to comply with the ferry security plan submitted by the
22 Washington state ferry system to the United States coast guard. The
23 department shall track security costs and expenditures. Ferry security
24 operations costs shall not be included as part of the operational costs
25 that are used to calculate farebox recovery.

26 (4) The Washington state ferries must work with the department's
27 information technology division to implement an electronic fare system,
28 including the integration of the regional fare coordination system
29 (smart card). Each December and June, semi-annual updates must be
30 provided to the transportation committees of the legislature concerning
31 the status of implementing and completing this project, with updates
32 concluding the first December after full project implementation.

33 (5) The Washington state ferries shall continue to provide service
34 to Sidney, British Columbia.

35 (6) \$3,660,000 of the multimodal transportation account--state
36 appropriation is provided solely to provide passenger-only ferry
37 service. The ferry system shall continue passenger-only ferry service
38 from Vashon Island to Seattle until such time as a county ferry

1 district's assumption of the route, as authorized by Substitute Senate
2 Bill No. 6787. Beginning September 1, 2005, ferry system management
3 shall implement its agreement with the Inlandboatmen's Union of the
4 Pacific and the International Organization of Masters, Mates and Pilots
5 providing for part-time passenger-only work schedules.

6 (7) \$350,000 of the Puget Sound ferry operations account--state
7 appropriation is provided solely for the implementation of Substitute
8 House Bill No. 3178 (marine employees collective bargaining). If
9 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
10 amount provided in this subsection shall lapse.

11 (8) \$613,000 of the Puget Sound ferries operations account--state
12 appropriation is provided solely for compliance with department of
13 ecology rules regarding the transfer of oil on or near state waters.

14 **Sec. 815.** 2006 c 370 s 228 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

17 Multimodal Transportation Account--State	
18 Appropriation	((\$36,876,000))
19	<u>\$35,376,000</u>

20 The appropriation in this section is subject to the following
21 conditions and limitations:

22 (1)(a) \$29,091,000 of the multimodal transportation account--state
23 appropriation is provided solely for the Amtrak service contract and
24 Talgo maintenance contract associated with providing and maintaining
25 the state-supported passenger rail service. Upon completion of the
26 rail platform project in the city of Stanwood, the department shall
27 provide daily Amtrak Cascades service to the city.

28 (b) The department shall negotiate with Amtrak and Burlington
29 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
30 Bellingham at a significantly earlier hour.

31 (2) (~~(\$2,750,000)~~) \$1,500,000 of the multimodal transportation
32 account--state appropriation is provided solely for a new round trip
33 rail service between Seattle and Portland beginning July 1, 2006.

34 (3) No AMTRAK Cascade runs may be eliminated.

35 (4) \$40,000 of the multimodal transportation account--state
36 appropriation is provided solely for the produce railcar program. The

1 department is encouraged to implement the produce railcar program by
2 maximizing private investment.

3 (5) \$500,000 of the multimodal transportation account--state
4 appropriation is provided solely for a study of the realignment of
5 highway and rail in the Longview industrial area (SR 432) corridor,
6 specifically regarding whether the construction of a limited access
7 bypass highway to reduce congestion resulting from anticipated growth
8 in future rail and truck traffic, is a feasible alternative. In
9 conducting the study, the department shall consult port districts,
10 local government planning staff, and rail road companies, and other
11 appropriate stakeholders.

12 (6) \$60,000 of the multimodal transportation account--state
13 appropriation is provided solely for a study of the need for
14 transloading capabilities in the West Plains area that could be served
15 by the Geiger Spur, including evaluation of prospective transloader
16 sites, potential operators and users, and the type, size, and special
17 needs of shippers/customers. The study must also evaluate the costs
18 associated with building and operating a transloader site and the
19 impact to local roadways and surrounding land uses. In conducting the
20 study, the department shall consult with Spokane County.

21 **Sec. 816.** 2006 c 370 s 229 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
24 **OPERATING**

25	Motor Vehicle Account--State Appropriation	((\$8,500,000))
26		<u>\$8,836,000</u>
27	Motor Vehicle Account--Federal Appropriation	\$2,597,000
28	Multimodal Transportation Account--State	
29	Appropriation	((\$411,000))
30		<u>\$200,000</u>
31	TOTAL APPROPRIATION	((\$11,508,000))
32		<u>\$11,633,000</u>

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

35 (1) \$211,000 of the motor vehicle account--state appropriation and
36 ((~~\$411,000~~)) \$200,000 of the multimodal transportation account--state
37 appropriation are provided solely for the state's contribution to

1 county and city studies of flood hazards in association with interstate
2 highways. First priority shall be given to threats along the I-5
3 corridor.

4 (2) (~~(\$525,000)~~) \$861,000 of the motor vehicle account--state
5 appropriation is provided solely to the department in accordance with
6 RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department
7 solely for contract services with the association of Washington cities
8 and the Washington state association of counties for improving
9 transportation permitting and mitigation processes.

10 **TRANSPORTATION AGENCIES--CAPITAL**

11 **Sec. 901.** 2006 c 370 s 301 (uncodified) is amended to read as
12 follows:

13 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

14 Rural Arterial Trust Account--State Appropriation	((\$64,933,000))
	<u>\$38,046,000</u>
16 Motor Vehicle Account--State Appropriation	\$355,000
17 County Arterial Preservation Account--State	
18 Appropriation	((\$32,697,000))
	<u>\$31,882,000</u>
20 TOTAL APPROPRIATION	((\$97,985,000))
	<u>\$70,283,000</u>

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$355,000 of the motor vehicle account--
24 state appropriation is provided for county ferries as set forth in RCW
25 47.56.725(4).

26 **Sec. 902.** 2006 c 370 s 302 (uncodified) is amended to read as
27 follows:

28 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

29 Urban Arterial Trust Account--State Appropriation	((\$101,425,000))
	<u>\$93,425,000</u>
31 Small City Preservation and Sidewalk	
32 Account--State Appropriation	((\$2,000,000))
	<u>\$1,696,000</u>
34 Transportation Improvement Account--State	
35 Appropriation	((\$94,401,000))

1 \$82,258,000
2 TOTAL APPROPRIATION ((\$197,826,000))
3 \$177,379,000

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

6 (1) The transportation improvement account--state appropriation
7 includes up to ((\$14,143,000)) \$7,000,000 in proceeds from the sale of
8 bonds authorized in RCW 47.26.500.

9 (2) ((\$2,000,000)) \$1,696,000 of the small city preservation and
10 sidewalk account--state appropriation is provided to fund the
11 provisions of chapter 83, Laws of 2005 (Substitute Senate Bill No.
12 5775).

13 **Sec. 903.** 2006 c 370 s 303 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
16 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

17 Motor Vehicle Account--State Appropriation ((\$2,328,000))
18 \$1,911,000

19 The appropriation in this section is subject to the following
20 conditions and limitations:

21 (1) \$584,000 of the motor vehicle account--state appropriation is
22 provided solely for statewide administration.

23 (2) ((\$632,000)) \$561,000 of the motor vehicle account--state
24 appropriation is provided solely for regional minor projects.

25 (3) ((\$305,000)) \$40,000 of the motor vehicle account--state
26 appropriation is provided solely for designing the replacement of the
27 existing outdated maintenance facility in Ephrata.

28 (4) ((\$239,000)) \$158,000 of the motor vehicle account--state
29 appropriation is provided solely for the designing of the northwest
30 regional maintenance complex in Seattle.

31 (5) \$568,000 of the motor vehicle account--state appropriation is
32 provided solely for the Olympic region headquarters project.

33 ~~((a) The department of transportation is authorized to use~~
34 ~~certificates of participation for the financing of the Olympic region~~
35 ~~project in the amount of \$34,874,000 plus financing expenses and~~
36 ~~required reserves pursuant to chapter 39.94 RCW.~~

1 ~~(b) The Washington state department of transportation may utilize~~
2 ~~the design build process in accordance with chapter 39.10 RCW for the~~
3 ~~Olympic region project. If the design build process is used, it may be~~
4 ~~developed in partnership with the department of general~~
5 ~~administration.))~~

6 **Sec. 904.** 2006 c 370 s 306 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
9 **CAPITAL**

10 Motor Vehicle Account--State Appropriation	((\$17,555,000))
	<u>\$11,162,000</u>
11 Motor Vehicle Account--Federal Appropriation	((\$15,068,000))
	<u>\$10,308,000</u>
12 Motor Vehicle Account--Local Appropriation	((\$108,000))
	<u>\$50,000</u>
13	
14 TOTAL APPROPRIATION	((\$32,731,000))
	<u>\$21,520,000</u>
15	
16	
17	

18 The appropriations in this section are subject to the following
19 conditions and limitations: The motor vehicle account--state
20 appropriation includes ((\$11,255,000)) \$11,162,000 for state matching
21 funds for federally selected competitive grant or congressional earmark
22 projects other than the commercial vehicle information systems and
23 network. These moneys shall be placed into reserve status until such
24 time as federal funds are secured that require a state match.

25 **Sec. 905.** 2006 c 370 s 304 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

28 Transportation 2003 Account (Nickel Account)--State	
29 Appropriation	((\$1,190,511,000))
	<u>\$1,079,697,000</u>
30	
31 Motor Vehicle Account--State Appropriation	((\$85,165,000))
	<u>\$84,385,000</u>
32	
33 Motor Vehicle Account--Federal Appropriation	((\$395,043,000))
	<u>\$352,856,000</u>
34	
35 Motor Vehicle Account--Private/Local Appropriation	((\$58,522,000))
	<u>\$47,655,000</u>
36	

1	Special Category C Account--State Appropriation	((\$3,479,000))
2		<u>\$3,152,000</u>
3	Tacoma Narrows Toll Bridge Account Appropriation	\$274,038,000
4	Transportation Partnership Account--State	
5	Appropriation	((\$384,186,000))
6		<u>\$289,436,000</u>
7	Multimodal Transportation Account--State	
8	Appropriation	((\$1,002,000))
9		<u>\$750,000</u>
10	TOTAL APPROPRIATION	((\$2,391,946,000))
11		<u>\$2,131,969,000</u>

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

14 (1)(a) The entire transportation 2003 account (nickel account)
15 appropriation and the entire transportation partnership account
16 appropriation are provided solely for the projects and activities as
17 listed by ~~((fund,))~~ project ~~((and amount))~~ in LEAP Transportation
18 Document 2006-1, Highway Improvement Program (I) as developed March 8,
19 2006. ~~((However, limited transfers of allocations between projects may
20 occur for those amounts listed subject to the conditions and
21 limitations in section 603 of this act.))~~

22 (b) Within the amounts provided in this subsection, \$6,835,000 of
23 the transportation partnership account--state appropriation, \$5,002,000
24 of the transportation 2003 account (nickel account)--state
25 appropriation, and \$2,645,000 of the motor vehicle account--federal
26 appropriation are for project 109040T: I-90/Seattle to Mercer Island
27 - Two way transit/HOV. Expenditure of these funds on construction is
28 contingent upon the development of an access plan that provides
29 equitable and dependable access for I-90 Mercer Island exit and entry.

30 (c) Within the amounts provided in this subsection, \$500,000 of the
31 transportation partnership account--state appropriation is for a west
32 Olympia access study, to complete an access study for state route
33 101/west Olympia.

34 (d) Within the amounts provided in this subsection, \$800,000 of the
35 transportation partnership account--state appropriation is for an SR
36 534 access point decision report.

37 (f) Within the amounts provided within this subsection, \$6,000,000
38 of the transportation partnership account--state appropriation is for

1 project 509009B: I-90 Snoqualmie Pass East - Hyak to Keechelus dam.
2 However, if the preferred alternative selected for this project results
3 in a lower total project cost, the remaining funds may be used for
4 concrete rehabilitation on I-90 in the vicinity of this project.

5 (g) Within the amounts provided in this subsection, \$12,841,000 of
6 the transportation 2003 account (nickel account)--state appropriation
7 and \$4,939,000 of the transportation partnership account--state
8 appropriation are for construction of a new interchange on SR 522 to
9 provide direct access to the University of Washington Bothell/Cascadia
10 community college joint campus. This appropriation assumes an
11 additional \$8,061,000 will be provided in the 2007-09 biennium from the
12 transportation partnership account.

13 (h) Within the amounts provided in this subsection, \$19,262,149 of
14 the motor vehicle account--federal appropriation and \$1,873,478 of the
15 transportation 2003 account (nickel account) appropriation are for
16 project 154302E: SR 543 (I-5 to the international boundary).

17 (2) The motor vehicle account--state appropriation includes up to
18 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
19 47.10.843.

20 (3) The department shall not commence construction on any part of
21 the state route number 520 bridge replacement and HOV project until a
22 record of decision has been reached providing reasonable assurance that
23 project impacts will be avoided, minimized, or mitigated as much as
24 practicable to protect against further adverse impacts on neighborhood
25 environmental quality as a result of repairs and improvements made to
26 the state route 520 bridge and its connecting roadways, and that any
27 such impacts will be addressed through engineering design choices,
28 mitigation measures, or a combination of both. The requirements of
29 this section shall not apply to off-site pontoon construction
30 supporting the state route number 520 bridge replacement and HOV
31 project.

32 (4) The transportation partnership account--state appropriation
33 includes up to \$150,000,000 in proceeds from the sale of bonds
34 authorized in RCW 47.10.873.

35 (5) The Tacoma Narrows toll bridge account--state appropriation
36 includes up to \$257,016,000 in proceeds from the sale of bonds
37 authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--

1 state appropriation includes up to \$17,022,000 in unexpended proceeds
2 from the March 2005 bond sale authorized in RCW 47.10.843 for the
3 Tacoma Narrows bridge project.

4 (6) The transportation 2003 account (nickel account)--state
5 appropriation includes up to \$880,000,000 in proceeds from the sale of
6 bonds authorized by chapter 147, Laws of 2003.

7 (7) The department shall, on a quarterly basis beginning July 1,
8 2005, provide to the office of financial management and the legislature
9 reports providing the status on each project in the project lists
10 submitted pursuant to this act. Other projects may be reported on a
11 programmatic basis. The department shall work with the office of
12 financial management and the transportation committees of the
13 legislature to agree on report formatting and elements. Elements shall
14 include, but not be limited to, project scope, schedule, and costs.
15 The department shall also provide the information required under this
16 subsection on a quarterly basis via the transportation executive
17 information systems (TEIS).

18 (8) The department of transportation shall conduct an analysis of
19 the causes of traffic congestion on I-5 in the vicinity of Fort Lewis
20 and develop recommendations for alleviating the congestion. The
21 department must report to the transportation committees of the
22 legislature by December 1, 2005, on its analysis and recommendations
23 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

24 (9) The department of transportation is authorized to proceed with
25 the SR 519 Intermodal Access project if the city of Seattle has not
26 agreed to a project configuration or design by July 1, 2006.

27 (10) The motor vehicle account--state appropriation includes up to
28 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
29 RCW 47.10.843.

30 (11) The special category C account--state appropriation includes
31 up to \$1,710,000 in unexpended proceeds from the sale of bonds
32 authorized in RCW 47.10.812.

33 (12) The department should consider using mitigation banking on
34 appropriate projects whenever possible, without increasing the cost to
35 projects. The department should consider using the advanced
36 environmental mitigation revolving account (AEMRA) for corridor and
37 watershed based mitigation opportunities, in addition to project
38 specific mitigation.

1 (13) \$500,000 of the motor vehicle account--state appropriation is
2 provided solely for a planning study regarding congestion mitigation
3 improvements on state route 101 in the vicinity of the city of
4 Aberdeen.

5 (14) \$6,200,000 of the motor vehicle account--federal appropriation
6 is provided solely for eastern Washington international border crossing
7 and freight mobility projects, including pavement preservation,
8 pavement structural strengthening, and other safety enhancements.
9 Projects shall include funding for U.S. route 97 international border
10 vicinity paving and improvement projects.

11 (15) \$3,509,738 of the motor vehicle account--federal appropriation
12 and \$30,793 of the motor vehicle account--state appropriation are
13 provided solely for project 100598C: I-5 Blaine Exit interchange
14 improvements.

15 ((+17)) (16) The legislature recognizes that the finance and
16 project implementation planning processes required for the Alaskan Way
17 viaduct and Seattle Seawall replacement project and the SR 520 bridge
18 replacement and HOV project cannot guarantee appropriate decisions
19 unless key study assumptions are reasonable with respect to each
20 project.

21 To assure appropriate finance plan and project implementation plan
22 assumptions, an expert review panel shall be appointed to provide
23 independent financial and technical review for development of a finance
24 plan and project implementation plan for the projects described in this
25 subsection.

26 (a) The expert review panel shall consist of five to ten members
27 who are recognized experts in relevant fields, such as planning,
28 engineering, finance, law, the environment, emerging transportation
29 technologies, geography, and economics.

30 (b) The expert review panel shall be selected cooperatively by the
31 chairs of the senate and house transportation committees, the secretary
32 of the department of transportation, and the governor to assure a
33 balance of disciplines.

34 (c) The chair of the expert review panel shall be designated by the
35 governor.

36 (d) The expert panel shall, with respect to completion of the
37 project alternatives as described in the draft environmental impact
38 statement of each project:

1 (i) Review the finance plan for the project to ensure that it
2 clearly identifies secured and anticipated funding sources and is
3 feasible and sufficient;

4 (ii) Review the project implementation plan covering all state and
5 local permitting and mitigation approvals that ensure the most
6 expeditious and cost-effective delivery of the project; and

7 (iii) Report its findings and recommendations on the items
8 described in (d)(i) and (ii) of this subsection to the joint
9 transportation committee, the office of financial management, and the
10 governor no later than September 1, 2006.

11 (e) Upon receipt of the expert review panel's findings and
12 recommendations under (d)(iii) of this subsection, the governor must
13 make a finding of whether each finance plan is feasible and sufficient
14 to complete the project as described in the draft environmental impact
15 statement.

16 (f) Nothing in this section shall be interpreted to delay
17 construction of any of the projects referenced in this subsection.

18 ~~((18)(a) Prior to commencing construction on either project, the
19 department of transportation must complete all of the following
20 requirements for both the Alaskan Way viaduct and Seattle Seawall
21 replacement project, and the state route number 520 bridge replacement
22 and HOV project: (i) In accordance with the national environmental
23 policy act, the department must designate the preferred alternative,
24 prepare a substantial project mitigation plan, and complete a
25 comprehensive cost estimate review using the department's cost estimate
26 validation process, for each project; (ii) in accordance with all
27 applicable federal highway administration planning and project
28 management requirements, the department must prepare a project finance
29 plan for each project that clearly identifies secured and anticipated
30 fund sources, cash flow timing requirements, and project staging and
31 phasing plans if applicable; and (iii) the department must report these
32 results for each project to the joint transportation committee.~~

33 ~~(b) The requirements of this subsection shall not apply to (i)
34 utility relocation work, and related activities, on the Alaskan Way
35 viaduct and Seattle Seawall replacement project and (ii) off site
36 pontoon construction supporting the state route number 520 bridge
37 replacement and HOV project.)~~

1 **Sec. 906.** 2006 c 370 s 305 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

4 Transportation 2003 Account (Nickel Account)--State		
5	Appropriation	((\$1,687,000))
6		<u>\$1,690,000</u>
7	Motor Vehicle Account--State Appropriation	((\$94,799,000))
8		<u>\$88,954,000</u>
9	Motor Vehicle Account--Federal Appropriation	((\$435,310,000))
10		<u>\$426,297,000</u>
11	Motor Vehicle Account--Private/Local Appropriation	((\$8,485,000))
12		<u>\$6,194,000</u>
13	((Puyallup Tribal Settlement Account--State	
14	Appropriation	\$11,000,000))
15	Transportation Partnership Account--State	
16	Appropriation	((\$24,540,000))
17		<u>\$20,180,000</u>
18	TOTAL APPROPRIATION	((\$575,821,000))
19		<u>\$543,315,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) The entire transportation 2003 account (nickel account)
23 appropriation and the entire transportation partnership account
24 appropriation are provided solely for the projects and activities as
25 listed by ((fund,)) project ((and amount)) in LEAP Transportation
26 Document 2006-1, Highway Preservation Program (P) as developed March 8,
27 2006. ((However, limited transfers of allocations between projects may
28 occur for those amounts listed subject to the conditions and
29 limitations in section 603 of this act.))

30 (2) \$11,000,000 of the Puyallup tribal settlement account--state
31 appropriation is provided solely for mitigation costs associated with
32 the Murray Morgan/11th Street Bridge demolition. The department may
33 negotiate with the city of Tacoma for the purpose of transferring
34 ownership of the Murray Morgan/11th Street Bridge to the city. The
35 department may use the Puyallup tribal settlement account
36 appropriation, as well as any funds appropriated in the current
37 biennium and planned in future biennia for the demolition and
38 mitigation for the demolition of the bridge to rehabilitate or replace

1 the bridge, if agreed to by the city. In no event shall the
2 department's participation exceed \$26,500,000 and no funds may be
3 expended unless the city of Tacoma agrees to take ownership of the
4 bridge in its entirety and provide that the payment of these funds
5 extinguishes any real or implied agreements regarding future
6 expenditures on the bridge.

7 (3) \$740,000 of the motor vehicle account--state appropriation,
8 \$106,149,000 of the motor vehicle account--federal appropriation, and
9 \$10,305,000 of the transportation partnership account--state
10 appropriation are provided solely for the Hood Canal bridge project.

11 (4) The motor vehicle account--state appropriation includes up to
12 \$735,000 in unexpended proceeds from the sale of bonds authorized in
13 RCW 47.10.761 and 47.10.762 for emergency purposes.

14 (5) The department of transportation shall continue to implement
15 the lowest life cycle cost planning approach to pavement management
16 throughout the state to encourage the most effective and efficient use
17 of pavement preservation funds. Emphasis should be placed on
18 increasing the number of roads addressed on time and reducing the
19 number of roads past due.

20 (6) The department shall, on a quarterly basis beginning July 1,
21 2005, provide to the office of financial management and the legislature
22 reports providing the status on each project in the project lists
23 submitted pursuant to this act. Other projects may be reported on a
24 programmatic basis. The department shall work with the office of
25 financial management and the transportation committees of the
26 legislature to agree on report formatting and elements. Elements shall
27 include, but not be limited to, project scope, schedule, and costs.
28 The department shall also provide the information required under this
29 subsection on a quarterly basis via the transportation executive
30 information systems (TEIS).

31 (7) The motor vehicle account--state appropriation includes up to
32 \$912,000 in unexpended proceeds from the sale of bonds authorized in
33 RCW 47.10.843.

34 (8) The motor vehicle account--state appropriation includes up to
35 \$6,000,000 in proceeds from the sale of bonds authorized by RCW
36 47.10.843.

37 (9) (~~(\$4,000,000)~~) \$3,200,000 of the motor vehicle account--federal
38 appropriation and \$6,000,000 of the motor vehicle account--state

1 appropriation, as specified in subsection (8) of this section, are for
2 expenditures on damaged state roads due to flooding, mudslides, rock
3 fall, or other unforeseen events. Slide repair on state routes 101, 4,
4 107, and 105 must be funded from this amount if federal emergency funds
5 are not available.

6 **Sec. 907.** 2006 c 370 s 307 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
9 **CONSTRUCTION--PROGRAM W**

10	Puget Sound Capital Construction Account--State	
11	Appropriation	((\$122,324,000))
12		<u>\$113,296,000</u>
13	Puget Sound Capital Construction Account--Federal	
14	Appropriation	((\$73,590,000))
15		<u>\$47,873,000</u>
16	Puget Sound Capital Construction Account--Private/Local	
17	Appropriation	\$26,000
18	Multimodal Transportation Account--State	
19	Appropriation	((\$13,249,000))
20		<u>\$10,749,000</u>
21	Transportation 2003 Account (Nickel Account)--State	
22	Appropriation	((\$34,991,000))
23		<u>\$17,391,000</u>
24	TOTAL APPROPRIATION	((\$244,180,000))
25		<u>\$189,335,000</u>

26 The appropriations in this section are provided for improving the
27 Washington state ferry system, including, but not limited to, vessel
28 construction, major and minor vessel preservation, and terminal
29 preservation, construction, and improvements. The appropriations in
30 this section are subject to the following conditions and limitations:

31 (1) The Puget Sound capital construction account--state
32 appropriation includes up to ((~~\$40,950,000~~)) \$40,288,000 in proceeds
33 from the sale of bonds authorized by RCW 47.10.843 for vessel and
34 terminal acquisition, major and minor improvements, and long lead time
35 materials acquisition for the Washington state ferries.

36 (2) The multimodal transportation account--state appropriation

1 includes up to (~~(\$10,249,000)~~) \$9,079,000 in proceeds from the sale of
2 bonds authorized by RCW 47.10.867.

3 (3) \$15,617,000 of the Puget Sound capital construction account--
4 state appropriation is provided solely for the Eagle Harbor Terminal
5 Preservation project.

6 (4) The entire transportation 2003 account (nickel account)
7 appropriation and \$10,249,000 of the multimodal transportation
8 account--state appropriation are provided solely for the projects and
9 activities as listed by fund, project and amount in LEAP Transportation
10 Document 2006-1, Ferries Construction Program (W) as developed March 8,
11 2006. However, limited transfers of allocations between projects may
12 occur for those amounts listed subject to the conditions and
13 limitations in section 603 of this act.

14 (5) The department shall, on a quarterly basis beginning July 1,
15 2005, provide to the office of financial management and the legislature
16 reports providing the status on each project in the project lists
17 submitted pursuant to this act and on any additional projects for which
18 the department has expended funds during the 2005-07 fiscal biennium.
19 Elements shall include, but not be limited to, project scope, schedule,
20 and costs. The department shall also provide the information required
21 under this subsection via the transportation executive information
22 systems (TEIS).

23 (6) \$3,000,000 of the multimodal transportation account--state
24 appropriation is provided solely for passenger-only projects. Projects
25 may include vessel or terminal projects or costs associated with
26 selling vessels.

27 (7) The multimodal transportation account--state appropriation
28 includes up to \$1,170,000 in unexpended proceeds from the sale of bonds
29 authorized in RCW 47.10.867.

30 **Sec. 908.** 2006 c 370 s 308 (uncodified) is amended to read as
31 follows:

32 FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL	
33 (Essential Rail Assistance Account State Appropriation .	\$250,000)
34 <u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$1,485,000</u>
35 Multimodal Transportation Account--State	
36 Appropriation	((\$68,176,000))
37	<u>\$57,814,000</u>

1	Multimodal Transportation Account--Private/Local	
2	Appropriation	((\$8,287,000))
3		<u>\$551,000</u>
4	Multimodal Transportation Account--Federal	
5	Appropriation	((\$17,268,000))
6		<u>\$10,198,000</u>
7	TOTAL APPROPRIATION	((\$93,981,000))
8		<u>\$70,048,000</u>

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

11 (1) The multimodal transportation account--state appropriation
12 includes up to ((~~\$33,435,000~~)) \$1,422,000 in proceeds from the sale of
13 bonds ((~~and up to \$830,000 in unexpended bond proceeds authorized by~~
14 ~~RCW 47.10.867~~)).

15 (2) If federal block grant funding for freight or passenger rail is
16 received, the department shall consult with the transportation
17 committees of the legislature prior to spending the funds on additional
18 projects.

19 (3)(a) ((~~\$68,176,000~~)) \$56,399,000 of the multimodal transportation
20 account--state appropriation, ((~~\$17,268,000~~)) \$10,198,000 of the
21 multimodal transportation account--federal appropriation,
22 ((~~\$8,287,000~~)) \$551,000 of the multimodal transportation account--local
23 appropriation, and ((~~\$250,000 of the essential rail assistance~~
24 ~~account~~)) \$1,485,000 of the motor vehicle account--federal
25 appropriation are provided solely for the projects and activities as
26 listed by ((~~fund,~~)) project ((~~and amount~~)) in LEAP Transportation
27 Document 2006-C, Rail Capital Program (Y) as developed March 8, 2006.
28 ((~~However, limited transfers of allocations between projects may occur~~
29 ~~for those amounts listed subject to the conditions and limitations in~~
30 ~~section 603 of this act.~~))

31 (b) Within the amounts provided in this subsection, ((~~\$6,500,000~~))
32 \$5,000,000 of the multimodal transportation account--state
33 appropriation is for the ((~~two~~)) commuter rail project((~~s~~)) listed in
34 the LEAP Transportation Document 2006-C, Rail Capital Program (Y) as
35 developed March 8, 2006.

36 (c) Within the amounts provided in this subsection, \$10,937,000 of
37 the multimodal transportation account--state appropriation is for the

1 cost of the memorandum of understanding for the acquisition of the
2 Palouse River Coulee City (PCC) rail lines.

3 (i) The office of financial management shall negotiate the purchase
4 of the CW line. The purchase agreement must include both the operating
5 and capital rights of the CW line. If the office of financial
6 management is unable to negotiate the purchase of the CW line, the
7 office may stop all negotiations and acquire the line and operational
8 rights through any other alternative means available. The office of
9 financial management shall also negotiate a new operational agreement
10 for the line, in consultation with local governments and other
11 stakeholders. The operational agreement shall be assignable, at the
12 state's option, to any intergovernmental entity or local rail district
13 that expresses interest in the operating rights to the line.

14 ~~((d))~~ (ii) The office of financial management shall negotiate the
15 purchase of the operating rights of the P&L and PV Hooper lines. If
16 the office of financial management is unable to negotiate the purchase
17 of the operating rights of the P&L and PV Hooper lines, the office may
18 stop all negotiations and acquire the operating rights through any
19 other alternative means available. Watco will continue to operate the
20 PV Hooper line, as required by contract. The office of financial
21 management shall also negotiate a new operational agreement~~((s))~~ for
22 the P&L ~~((and PV Hooper lines))~~ line in consultation with local
23 governments and other stakeholders. The operational agreement
24 negotiated shall be assignable, at the state's option, to any
25 intergovernmental entity or local rail district that expresses interest
26 in the operating rights to the line. If, upon expiration of the
27 operational agreement for the PV Hooper line, any intergovernmental
28 entity or local rail district expresses interest in the operating
29 rights to the PV Hooper rail line, then the department shall assign the
30 operating rights to the line to the intergovernmental entity or local
31 rail district.

32 ~~((e))~~ (iii) In order to maintain the operation of the Palouse
33 River & Coulee City rail lines, the office of financial management is
34 authorized to negotiate an agreement wherein they may forgive all or
35 part of the existing freight rail assistance loan to the current
36 operator of the Palouse River & Coulee City rail lines in exchange for
37 good and valuable consideration.

1 (iv) Following acquisition of the PCC rail lines, the department
2 shall not expend funds provided in (a) of this subsection to refurbish
3 the lines or provide an operating subsidy for the lines.

4 (4) If the department issues a call for projects, applications must
5 be received by the department by November 1, 2005, and November 1,
6 2006.

7 (5) \$50,000 of the multimodal transportation account--state
8 appropriation is provided solely for a study of eastern Skagit county
9 freight rail. The study shall examine the feasibility of restoring
10 portions of freight rail line to the towns of Lyman, Hamilton, and
11 Concrete. The study must also identify existing and potential
12 industrial sites available for development and redevelopment, and the
13 freight rail service needs of the identified industrial sites.

14 (6) The department shall finalize and issue the Amtrak Cascades
15 long range plan update as of the effective date of this act.

16 (7) Funds provided for the Tacoma rail improvement project may be
17 expended for preconstruction engineering.

18 (8) \$2,500,000 of the multimodal transportation account--state
19 appropriation is provided solely for a rail loop at the Port of Walla
20 Walla.

21 **Sec. 909.** 2006 c 370 s 309 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
24 **CAPITAL**

25	((Highway Infrastructure Account--State Appropriation	\$207,000
26	Highway Infrastructure Account--Federal Appropriation	\$1,602,000))
27	Motor Vehicle Account--Federal Appropriation	((\$48,998,000))
28		<u>\$16,734,000</u>
29	Motor Vehicle Account--State Appropriation	((\$8,340,000))
30		<u>\$1,836,000</u>
31	Transportation Partnership Account--State	
32	Appropriation	((\$2,008,000))
33		<u>\$694,000</u>
34	((Freight Mobility Investment Account--State	
35	Appropriation	\$6,000,000
36	Passenger Ferry Account--State Appropriation	\$9,000,000))
37	Multimodal Transportation Account--State	

1	Appropriation	((\$39,403,000))
2		<u>\$21,860,000</u>
3	Transportation 2003 Account (nickel account)--State	
4	Appropriation	((\$557,000))
5		<u>\$145,000</u>
6	Freight Mobility Multimodal Account--State	
7	Appropriation	((\$9,700,000))
8		<u>\$1,150,000</u>
9	<u>Freight Mobility Multimodal Account--</u>	
10	<u>Private/Local Appropriation</u>	<u>\$3,050,000</u>
11	TOTAL APPROPRIATION	((\$125,815,000))
12		<u>\$45,469,000</u>

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

15 (1) To manage some projects more efficiently, federal funds may be
16 transferred from program Z to programs I and P and state funds shall be
17 transferred from programs I and P to program Z to replace those federal
18 funds in a dollar-for-dollar match. Fund transfers authorized under
19 this subsection shall not affect project prioritization status.
20 Appropriations shall initially be allotted as appropriated in this act.
21 The department may not transfer funds as authorized under this
22 subsection without approval of the office of financial management. The
23 department shall submit a report on those projects receiving fund
24 transfers to the transportation committees of the senate and house of
25 representatives by December 1, 2006.

26 (2) The department shall, on a quarterly basis, provide status
27 reports to the legislature on the delivery of projects as outlined in
28 the project lists distributed with this act, and on any additional
29 projects for which the department has expended funds during the 2005-07
30 fiscal biennium, except for projects managed by the freight mobility
31 strategic investment board. The department shall work with the
32 transportation committees of the legislature to agree on report
33 formatting and elements. For projects funded by new revenue in the
34 2003 and 2005 transportation packages, reporting elements shall
35 include, but not be limited to, project scope, schedule, and costs.
36 Other projects may be reported on a programmatic basis. The department
37 shall also provide the information required under this subsection on a

1 quarterly basis via the transportation executive information system
2 (TEIS).

3 (3) The multimodal transportation account--state appropriation
4 includes up to \$6,000,000 in proceeds from the sale of bonds authorized
5 by RCW 47.10.867.

6 (4) \$1,545,000 of the multimodal transportation account--state
7 appropriation is reappropriated and provided solely to fund the
8 multiphase cooperative project with the state of Oregon to dredge the
9 Columbia River. The amount provided in this subsection shall lapse
10 unless the state of Oregon appropriates a dollar-for-dollar match to
11 fund its share of the project.

12 (5) Up to \$206,000 of the motor vehicle account--state
13 appropriation is reappropriated and provided (~~solely~~) for additional
14 traffic and pedestrian safety improvements near schools. The highways
15 and local programs division within the department of transportation
16 shall administer this program. The department shall review all
17 projects receiving grant awards under this program at least
18 semiannually to determine whether the projects are making satisfactory
19 progress. Any project that has been awarded traffic and pedestrian
20 safety improvement grant funds, but does not report activity on the
21 project within one year of grant award should be reviewed by the
22 department to determine whether the grant should be terminated. The
23 department must promptly close out grants when projects have been
24 completed, and identify where unused grant funds remain because actual
25 project costs were lower than estimated in the grant award. The
26 department shall expeditiously extend new grant awards to qualified
27 projects when funds become available either because grant awards have
28 been rescinded for lack of sufficient project activity or because
29 completed projects returned excess grant funds upon project closeout.

30 (6) The motor vehicle account--state appropriation includes up to
31 \$905,000 in unexpended proceeds from the sale of bonds authorized by
32 RCW 47.10.843.

33 (7) Up to \$607,000 of the multimodal transportation account--state
34 appropriation is reappropriated and provided (~~solely~~) to support the
35 safe routes to school program.

36 (8) (~~(\$16,110,000)~~) Up to \$7,488,000 of the motor vehicle account--
37 federal appropriation is provided (~~solely~~) for the local freight
38 capital projects in progress identified in this subsection. The

1 specific funding listed is provided (~~solely~~) for the respective
2 projects: SR 397 Ainsworth Ave. Grade Crossing, \$4,992,000; Colville
3 Alternate Truck Route, \$1,746,000; (~~S. 228th Street Extension and~~
4 ~~Grade Separation, \$6,500,000; Bigelow Gulch Road Urban Boundary to~~
5 ~~Argonne Rd., \$2,000,000; Granite Falls Alternate Route, \$122,000;~~) and
6 Pacific Hwy. E./Port of Tacoma Road to Alexander, \$750,000.

7 (9) (~~\$2,898,000~~) Up to \$1,011,000 of the motor vehicle account--
8 state appropriation is provided (~~solely~~) for the local freight
9 capital projects in progress identified in this subsection. The
10 specific funding listed is provided (~~solely~~) for the respective
11 projects: Duwamish Intelligent Transportation Systems (ITS),
12 (~~\$2,382,000~~) \$495,000; Port of Kennewick/Piert Road, \$516,000.

13 (10) Up to \$6,000,000 of the multimodal account--state
14 appropriation is provided (~~solely~~) for the local freight 'D' street
15 grade separation project.

16 (11) The department shall issue a call for pedestrian safety
17 projects, such as safe routes to schools and transit, and bicycle and
18 pedestrian paths. Applications must be received by the department by
19 November 1, 2005, and November 1, 2006. The department shall identify
20 cost-effective projects, and submit a prioritized list to the
21 legislature for funding by December 15th of each year. Recommendations
22 made to the legislature for safe routes to schools and bicycle and
23 pedestrian path projects must, to the extent practicable based on
24 available funding, allocate sixty percent of available funds to bicycle
25 and pedestrian path projects and forty percent to safe routes to
26 schools. Preference shall be given to projects that provide a local
27 match.

28 (12) (~~\$18,370,000~~) Up to \$12,000,000 of the multimodal
29 transportation account--state appropriation, (~~\$6,000,000~~) up to
30 \$2,440,000 of the freight mobility multimodal account--state
31 appropriation, and up to \$2,008,000 of the transportation partnership
32 account--state appropriation(~~(, and \$6,000,000 of the freight mobility~~
33 ~~investment account--state appropriation)) are provided (~~solely~~) for
34 the projects and activities as listed by fund, project and amount in
35 LEAP Transportation Document 2006-1, Local Programs (Z) as developed
36 March 8, 2006. However, limited transfers of allocations between
37 projects may occur for those amounts listed subject to the conditions
38 and limitations in section 603 of this act.~~

1 (13) \$870,000 of the multimodal transportation account--state
2 appropriation is provided solely for the Yakima Avenue, 9th Street to
3 Front Street, pedestrian safety improvement project.

4 (14) Up to \$5,000,000 of the multimodal transportation account--
5 state appropriation and up to \$2,000,000 of the motor vehicle account--
6 federal appropriation are provided (~~solely~~) for the pedestrian and
7 bicycle safety program projects and safe routes to schools program
8 projects identified on the LEAP Transportation Document 2006-B,
9 Pedestrian and Bicycle Safety Program Projects and Safe Routes to
10 Schools Program Projects as developed March 8, 2006. Projects must be
11 allocated funding based on order of priority. The department shall
12 review all projects receiving grant awards under this program at least
13 semiannually to determine whether the projects are making satisfactory
14 progress. Any project that has been awarded funds, but does not report
15 activity on the project within one year of the grant award, shall be
16 reviewed by the department to determine whether the grant should be
17 terminated. The department shall promptly close out grants when
18 projects have been completed, and identify where unused grant funds
19 remain because actual project costs were lower than estimated in the
20 grant award. When funds become available either because grant awards
21 have been rescinded for lack of sufficient project activity or because
22 completed projects returned excess grant funds upon project closeout,
23 the department shall expeditiously extend new grant awards to qualified
24 alternative projects identified on the list.

25 (15) Up to \$9,700,000 of the motor vehicle account--federal
26 appropriation is provided (~~solely~~) for the intersection and corridor
27 safety program projects as identified on the LEAP Transportation
28 Document 2006-A, Intersection and Corridor Safety Program Projects as
29 developed March 8, 2006.

30 (16) Up to \$19,500,000 of the motor vehicle account--federal
31 appropriation is provided (~~solely~~) for rural county two-lane roadway
32 pilot projects including \$7,500,000 already under contract. Any
33 further allocations shall be prioritized by the department based on
34 high-accident-corridor criteria. For purposes of this subsection,
35 "high-accident-corridor" means a highway corridor of one mile or more
36 where analysis of collision history indicates that the section has
37 higher than average collision and severity factors.

1 (17) Up to \$2,500,000 of the motor vehicle account--state
2 appropriation is provided (~~solely~~) for the Yakima downtown futures
3 initiative.

4 (18) Up to \$810,000 of the multimodal transportation account--state
5 appropriation is provided (~~solely~~) for the projects identified in
6 this subsection: Des Moines creek trail, \$250,000; SR 282 to Port of
7 Ephrata connector, \$385,000; Mount Baker Ridge viewpoint, \$175,000.

8 (~~(19)~~) (19) Up to \$688,000 of the motor vehicle account--federal
9 appropriation is provided (~~solely~~) for completion of the Coal Creek
10 Parkway project.

11 (~~(21) \$9,000,000 of the passenger ferry account state~~
12 ~~appropriation is provided solely for the implementation of the~~
13 ~~passenger only ferry grant program created in Substitute Senate Bill~~
14 ~~No. 6787. If Substitute Senate Bill No. 6787 is not enacted by June~~
15 ~~30, 2006, the amount provided in this subsection shall lapse.))~~

16 (20) \$827,000 of the motor vehicle account--federal appropriation
17 is provided solely for the projects identified in this subsection: The
18 Franklin county slide project, \$800,000; and the Loomis-Oroville Road
19 guardrail replacement project, \$27,000.

20 (21) \$252,000 of the multimodal transportation account--state
21 appropriation is provided solely for the Winthrop pedestrian and bike
22 path project.

23 **TRANSFERS AND DISTRIBUTIONS**

24 **Sec. 1001.** 2006 c 370 s 401 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
27 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
28 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
29 **REVENUE**

30 Highway Bond Retirement Account Appropriation	(\$334,313,000)
	<u>\$329,713,000</u>
32 Nondebt-Limit Reimbursable Account Appropriation	(\$6,091,000)
	<u>\$5,791,000</u>
34 Ferry Bond Retirement Account Appropriation	\$38,241,000
35 Transportation Improvement Board Bond Retirement	
36 Account--State Appropriation	\$30,923,000

1	Motor Vehicle Account--State Appropriation	((\$682,000))
2		<u>\$782,000</u>
3	Transportation Improvement Account--State	
4	Appropriation	\$120,000
5	Multimodal Transportation Account--State	
6	Appropriation	((\$370,000))
7		<u>\$390,000</u>
8	Transportation 2003 Account (Nickel Account)	
9	Appropriation	\$6,600,000
10	Transportation Partnership Account--State	
11	Appropriation	((\$1,125,000))
12		<u>\$975,000</u>
13	TOTAL APPROPRIATION	((\$418,465,000))
14		<u>\$413,535,000</u>

15 **Sec. 1002.** 2006 c 370 s 402 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
18 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
19 **FISCAL AGENT CHARGES**

20	Motor Vehicle Account--State Appropriation	\$248,000
21	Transportation Improvement Account--State Appropriation	((\$13,000))
22		<u>\$18,000</u>
23	Multimodal Transportation Account--State Appropriation	\$35,000
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation	\$2,200,000
26	Transportation Partnership Account--State	
27	Appropriation	\$375,000
28	TOTAL APPROPRIATION	((\$2,871,000))
29		<u>\$2,876,000</u>

30 **Sec. 1003.** 2006 c 370 s 404 (uncodified) is amended to read as
31 follows:

32 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

33	Motor Vehicle Account Appropriation for	
34	motor vehicle fuel tax distributions to cities	
35	and counties	((\$487,612,000))
36		<u>\$468,391,000</u>

1	Account--State	\$1,500,000
2	(10) License Plate Technology Account--State Appropriation:	
3	For transfer to the Motor Vehicle Account--State	\$2,500,000
4	(11) Multimodal Transportation Account--State Appropriation:	
5	For transfer to the Transportation Partnership	
6	Account--State	\$29,417,000
7	(12) Motor Vehicle Account--State Appropriation:	
8	For transfer to the Freight Mobility Multimodal	
9	Account--State, up to a maximum of	((\$3,700,000))
10		<u>\$3,537,000</u>
11	(13) Multimodal Transportation Account--State Appropriation:	
12	For transfer to the Tacoma Narrows Toll Bridge	
13	Account--State	\$1,300,000
14	(14) Multimodal Transportation Account--State Appropriation:	
15	For transfer to the Freight Mobility Multimodal	
16	Account--State	\$4,610,000
17	<u>(15) Motor Vehicle Account--State Appropriation:</u>	
18	<u>For transfer to the Tacoma Narrows Toll Bridge</u>	
19	<u>Account--State</u>	<u>\$5,288,000</u>

20 The transfers identified in this section are subject to the
21 following conditions and limitations:

22 (a) The department of transportation shall only transfer funds in
23 subsection (2) of this section up to the level provided, on an as-
24 needed basis.

25 (b) The amount transferred in subsection (12) of this section shall
26 be the same as the Union Pacific Railroad's original contribution,
27 adjusted for earned interest and expenditures, and shall be made on
28 June 30, 2006.

29 (c) The amount transferred in subsection (14) of this section is
30 the equivalent of the Burlington Northern Santa Fe funds advanced to
31 the SR 519 project and shall be invested in a freight mobility project
32 agreed to by the freight mobility strategic investment board and the
33 BNSF railway if the final design of the SR 519 project does not include
34 the original rail benefit.

35 (d) The amount transferred in subsection (13) of this section is
36 appropriated as a nonreimbursable state financial contribution to the
37 project and does not require repayment.

1

MISCELLANEOUS

2 NEW SECTION. **Sec. 1101.** 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. 1102.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and takes effect
9 immediately.

(End of bill)

INDEX	PAGE #
BOARD OF PILOTAGE COMMISSIONERS	5
COLLECTIVE BARGAINING AGREEMENT	
FASPAA	61
IBU	59
MEBA-LICENSED	59
MEBA-UNLICENSED	59
METAL TRADES COUNCIL	60
MM&P	60
MM&P-WATCH SUPERVISORS	60
OPEIU	61
SEIU	61
WSP LIEUTENANTS ASSOCIATION	62
WSP TROOPERS ASSOCIATION	62
COLLECTIVE BARGAINING AGREEMENT--IFPTE	62
COLLECTIVE BARGAINING AGREEMENTS	58
COMPENSATION	
NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS	54
PENSION CONTRIBUTIONS	56
REPRESENTED EMPLOYEES OUTSIDE--SUPER COALITION INSURANCE BENEFITS	55
REPRESENTED EMPLOYEES--SUPER COALITION	56
REVISE PENSION GAIN SHARING	57
COUNTY ROAD ADMINISTRATION BOARD	4, 32, 101
DEPARTMENT OF AGRICULTURE	2
DEPARTMENT OF ARCHEOLOGY AND HISTORIC PRESERVATION	3
DEPARTMENT OF LICENSING	78
DEPARTMENT OF LICENSING	11
TRANSFERS	53
DEPARTMENT OF TRANSPORTATION	76, 78
AVIATION--PROGRAM F	15, 86
CHARGES FROM OTHER AGENCIES--PROGRAM U	23, 92
FACILITIES--PROGRAM D--OPERATING	15
HIGHWAY MAINTENANCE--PROGRAM M	17, 87
IMPROVEMENTS--PROGRAM I	34, 103
INFORMATION TECHNOLOGY--PROGRAM C	14
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	48, 115
LOCAL PROGRAMS--PROGRAM Z--OPERATING	31, 100
MARINE--PROGRAM X	28, 97

PRESERVATION--PROGRAM P	39
PRESERVATION--PROGRAM P	109
PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)	102
PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL	33
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	16
PUBLIC TRANSPORTATION--PROGRAM V	24, 94
RAIL--PROGRAM Y--OPERATING	30
RAIL--PROGRAM Y--CAPITAL	44, 112
RAIL--PROGRAM Y--OPERATING	99
TOLL OPERATIONS AND MAINTENANCE--PROGRAM B	13, 86
TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL	41, 103
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	18
TRANSFERS	122
TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S	21
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	21, 89
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	42, 111
FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K	17
FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU	10
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	8
INFORMATION SYSTEMS PROJECTS	63
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE	4
JOINT TRANSPORTATION COMMITTEE	5, 79
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	3
MARINE EMPLOYEES COMMISSION	2
NONREPRESENTED EMPLOYEE COMPENSATION	57
OFFICE OF FINANCIAL MANAGEMENT	2
STATE PARKS AND RECREATION COMMISSION	2
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	53
BOND RETIREMENT AND INTEREST	51, 52, 120, 121
STATE REVENUES FOR DISTRIBUTION	52, 121
TRANSFERS	52, 122
STATUTORY APPROPRIATIONS	54
TRANSPORTATION COMMISSION	7
TRANSPORTATION IMPROVEMENT BOARD	5, 32, 101
UTILITIES AND TRANSPORTATION COMMISSION	2
WASHINGTON STATE PATROL	31
CRIMINAL HISTORY AND BACKGROUND CHECKS	10
FIELD OPERATIONS BUREAU	8, 81
INVESTIGATIVE SERVICES BUREAU	84

TECHNICAL SERVICES BUREAU	10, 84
WASHINGTON TRAFFIC SAFETY COMMISSION	4"

ESHB 1094 - CONF REPT
By Conference Committee

1 On page 1, line 1 of the title, after "appropriations;" strike the
2 remainder of the title and insert "amending RCW 46.68.170, 47.29.170,
3 46.16.685, 47.01.390, 88.16.090, 47.12.244, 70.95.521, 47.06A.030, and
4 46.68.060; reenacting and amending RCW 46.16.725; amending 2006 c 53 s
5 2 (uncodified); amending 2006 c 370 ss 205, 208, 209, 210, 215, 218,
6 224, 226, 227, 228, 229, 301, 302, 303, 304, 305, 306, 307, 308, 309,
7 401, 402, 404, 405, and 406 (uncodified); adding new sections to 2005
8 c 313 (uncodified); creating new sections; making appropriations and
9 authorizing expenditures for capital improvements; and declaring an
10 emergency."

--- END ---