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**SUBSTITUTE HOUSE BILL 2118**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** House Transportation (originally sponsored by Representatives Fey, Wylie, and Riccelli)

AN ACT Relating to additive transportation funding and appropriations; creating new sections; making appropriations; and declaring an emergency.

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

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

(2) It is the intent of the legislature that the funding levels specified in LEAP Transportation Document 2022-A as developed February 8, 2022, represents a commitment to provide climate commitment act-related appropriations to the agencies, programs, and activities at the amounts identified therein through fiscal year 2038.

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

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

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

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

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

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

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

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

**2021-2023 FISCAL BIENNIUM**

**GENERAL GOVERNMENT AGENCIES—OPERATING**

**TRANSPORTATION AGENCIES—OPERATING**

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

Move Ahead WA Flexible Account—State Appropriation $1,691,000

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

(1) $550,000 of the move ahead WA flexible account—state appropriation is provided solely for an interagency transfer to the department of children, youth, and families to provide driver's license support to a larger population of foster youth than is currently being served. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

(2) $1,000,000 of the move ahead WA flexible account—state appropriation is provided solely for estimated implementation costs associated with new revenues.

(3) $141,000 of the move ahead WA flexible account—state appropriation is provided solely for Substitute Senate Bill No. 5815 (homeless identicard).

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

Within the parameters established by RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission may consider adjusting maximum toll rates, minimum toll rates, time-of-day rates, restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF COMMERCE**

Move Ahead WA Flexible Account—State Appropriation $10,000

The appropriation in this section is subject to the following conditions and limitations: $10,000 of the move ahead WA flexible account—state appropriation is provided solely to prepare to award funds for facilities engaged in research, development, or manufacturing of new sustainable aviation technologies. The purpose is to support adoption of zero emissions aircraft and sustainable aviation fuels, reduce harmful aviation-related emissions, and reduce the aviation industry's reliance on fossil fuels. Sustainable aviation projects may include, but are not limited to: (1) Facilities or equipment for development of batteries and electric motors for aviation; (2) facilities or equipment for development of sustainable aviation fuel; or (3) hydrogen electrolyzers and storage. The department must select projects, which may include planning, to propose to the legislature for funding. The department shall submit a report to the transportation committees of the legislature by December 1, 2022, identifying the selected sustainable aviation projects for funding by the legislature.

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

Aeronautics Account—State Appropriation $1,000,000

Move Ahead WA Flexible Account—State Appropriation $10,000

TOTAL APPROPRIATION $1,010,000

The appropriation in this section is subject to the following conditions and limitations: $10,000 of the move ahead WA flexible account—state appropriation is provided solely for the creation of a sustainable aviation grant program for airports. The purpose of the grant program is to support adoption of zero emissions aircraft and sustainable aviation fuels, reduce harmful aviation-related emissions, and reduce the aviation industry's reliance on fossil fuels. Sustainable aviation projects may include, but are not limited to: (1) Sustainable aviation fuel storage; (2) electrification of ground support equipment; (3) electric aircraft charging infrastructure; (4) airport clean power production; or (5) electric vehicle charging stations whose infrastructure also supports ground support equipment and electric aircraft charging. The department must select projects, which may include planning, to propose to the legislature for funding. The department shall submit a report to the transportation committees of the legislature by December 1, 2022, identifying the selected sustainable aviation projects for funding by the legislature.

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

Move Ahead WA Account—State Appropriation $47,000,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q**

Move Ahead WA Account—State Appropriation $3,100,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Move Ahead WA Flexible Account—State Appropriation $2,000,000

The appropriations in this section are subject to the following conditions and limitations: The department shall allocate no less than 15 percent of the move ahead WA account—state appropriation for highway maintenance by highway lane miles with fewer than 4,000,000 tons of annual freight tonnage moved.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

Move Ahead WA Flexible Account—State Appropriation $2,500,000

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

Move Ahead WA Flexible Account—State Appropriation $2,000,000

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

Climate Transit Programs Account—State Appropriation $54,260,000

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

(1) $4,680,000 of the climate transit programs account—state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2022-NL-3 as developed February 8, 2022.

(2) $14,120,000 of the climate transit programs account—state appropriation is provided solely for newly selected special needs grants.

(3) $29,750,000 of the climate transit programs account—state appropriation is provided solely for transit support grants.

(4) $4,710,000 of the climate transit programs account—state appropriation is provided solely for newly selected green transportation grants.

(5) $1,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall give priority to grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

(6) $5,000,000 of the climate transit programs account—state appropriation designated for the Mill Plain Bus Rapid Transit (C-TRAN) project in LEAP Transportation Document 2022-NL-3 as developed February 8, 2022, is redesignated and provided solely for Highway 99 Bus Rapid Transit (C-TRAN) project.

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

Move Ahead WA Flexible Account—State Appropriation $22,000,000

**TRANSPORTATION AGENCIES—CAPITAL**

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

Climate Active Transportation Account—State

Appropriation $3,440,000

The appropriations in this section are subject to the following conditions and limitations: The entire climate active transportation account—state appropriation is provided solely for newly selected complete streets grants.

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

Move Ahead WA Account—State Appropriation $730,000,000

Move Ahead WA Account—Federal Appropriation $100,000,000

TOTAL APPROPRIATION $830,000,000

The appropriations in this section are subject to the following conditions and limitations: The entire move ahead WA account—state appropriation and move ahead WA account—federal appropriation are provided solely for the state highway projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed February 8, 2022.

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

Move Ahead WA Account—Federal

Appropriation $101,000,000

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

(1) The entire move ahead WA account—federal appropriation is provided solely for the state highway preservation projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed February 8, 2022.

(2) It is the intent of the legislature that appropriations for highway preservation made from the move ahead WA account—state shall be allocated no less than 15 percent of the appropriation for highway preservation by highway lane miles with fewer than 4,000,000 tons of annual freight tonnage moved.

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

Move Ahead WA Flexible Account—State Appropriation $25,000,000

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

(1) $10,000,000 of the move ahead WA flexible account—state appropriation is provided solely for vessel and terminal preservation projects.

(2) $15,000,000 of the move ahead WA flexible account—state appropriation is provided solely for the sixth hybrid electric Olympic class vessel.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y**

Move Ahead WA Flexible Account—State Appropriation $8,500,000

Carbon Emissions Reduction Account—State

Appropriation $50,000,000

TOTAL APPROPRIATION $58,500,000

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

(1) The entire move ahead WA flexible account—state appropriation in this section is provided solely for the rail projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed February 8, 2022.

(2) $50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for pending federal grant opportunities. These funds are to remain in unallotted status and are available only upon receipt of federal funds. The department must provide draft applications for federal grant opportunities to the transportation committees of the legislature for review and comment prior to submission.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z**

Move Ahead WA Flexible Account—State Appropriation $127,900,000

Climate Active Transportation Account—State

Appropriation $19,360,000

TOTAL APPROPRIATION $147,260,000

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

(1) The entire move ahead WA flexible account—state appropriation is provided solely for the local road projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed February 8, 2022.

(2) $6,890,000 of the climate active transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects as listed in LEAP Transportation Document 2022 NL-2 as developed February 8, 2022.

(3) $6,830,000 of the climate active transportation account—state appropriation is provided solely for newly selected safe routes to school grants.

(4) $5,640,000 of the climate active transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle grants.

(5) $14,000,000 is provided from the move ahead WA account—state for the elevate Slater road project to be added to the LEAP Transportation Document 2022 NL-1 as developed February 8, 2022.

(6) A total of $3,000,000 is provided from the climate active transportation account—state for the Bradley road safe routes pedestrian improvements project on the LEAP Transportation Document 2022 NL-2 as developed February 8, 2022.

(7) A total of $13,500,000 is provided from the climate active transportation account—state for the Usk bridge shared-use pathway retrofit (Kalispell Tribe) project on the LEAP Transportation Document 2022 NL-2 as developed February 8, 2022.

**TRANSFERS AND DISTRIBUTIONS**

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

Move Ahead WA Account—State Appropriation:

For transfer to the Puget Sound Ferry

Operations Account—State $600,000

The amount transferred in this section represents an estimate of fare replacement revenue to account for the implementation of 18 and under fare-free policies.

**MISCELLANEOUS**

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

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

**--- END ---**