CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5975**

Chapter 187, Laws of 2022

67th Legislature

2022 Regular Session

ADDITIVE TRANSPORTATION BUDGET

EFFECTIVE DATE: March 25, 2022

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| Passed by the Senate March 10, 2022  Yeas 30 Nays 19  DENNY HECK  **President of the Senate**  Passed by the House March 10, 2022  Yeas 57 Nays 41  LAURIE JINKINS  **Speaker of the House of Representatives** | CERTIFICATE  I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5975** as passed by the Senate and the House of Representatives on the dates hereon set forth.  SARAH BANNISTER  Secretary |
| Approved March 25, 2022 4:39 PM | March 28, 2022 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE SENATE BILL 5975**

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Passed Legislature - 2022 Regular Session

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

**By** Senate Transportation (originally sponsored by Senators Liias, Randall, Carlyle, Cleveland, Das, Dhingra, Hunt, Kuderer, Lovelett, Lovick, Mullet, Nguyen, Nobles, Rolfes, Salomon, Trudeau, Wellman, and C. Wilson)

AN ACT Relating to additive transportation funding and appropriations; amending RCW 82.44.200; amending 2021 c 333 ss 110, 111, and 103 (uncodified); 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) Except as otherwise provided in this act, it is the intent of the legislature that the funding levels specified in LEAP Transportation Document 2022-A as developed March 9, 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) Except as otherwise provided in this act, it is the intent of the legislature that the funding levels specified in LEAP Transportation Document 2022-B as developed March 9, 2022, represents a commitment to provide move ahead WA-related appropriations to the agencies, programs, and activities, at the amounts identified therein, through fiscal year 2038.

(4) 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**

**Sec.**  2021 c 333 s 110 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

Motor Vehicle Account—State Appropriation ((~~$3,210,000~~))

$1,577,000

**Sec.**  2021 c 333 s 111 (uncodified) is amended to read as follows:

**FOR THE SENATE**

Motor Vehicle Account—State Appropriation ((~~$3,085,000~~))

$1,518,000

**Sec.**  2021 c 333 s 103 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account—State Appropriation ((~~$1,441,0000~~))

$1,034,000

Puget Sound Ferry Operations Account—State

Appropriation $126,000

Multimodal Transportation Account—State

Appropriation $250,000

TOTAL APPROPRIATION ((~~$1,817,000~~))

$1,410,000

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

$250,000 of the multimodal transportation account—state appropriation is provided solely for the office of financial management, in collaboration with the Washington department of transportation and the office of the chief information officer, to conduct an evaluation of short term and long term facility and information technology needs. In conducting the evaluation, the office of financial management may contract with an entity with direct expertise in this area. The office of financial management must submit a final report of their evaluation by October 1, 2022. The evaluation must be coordinated with any legislatively directed study regarding leased space. The evaluation must include, but is not limited to:

(1) Development of a status quo scenario based on current policy and projections and two alternative scenarios of the number of people and percentage of staff in telework status on a permanent basis with one alternative being the minimum feasible level of teleworking and one alternative being the maximum feasible level of teleworking;

(2) Current and projected facility needs by location and function for the scenarios in subsection (1) of this section;

(3) The specific number of employees and percentage of the workforce expected to be teleworking by location and function and the anticipated impact on facility space needs for the scenarios in subsection (1) of this section;

(4) Analysis of opportunities to colocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency;

(5) Detailed information on any increased costs, such as end-user devices, software, technology infrastructure, and other types of assistance needed to meet the teleworking levels in each of the scenarios in subsection (1) of this section;

(6) Detailed information on any reduced costs, such as leases, facility maintenance, and utilities, resulting from the projected teleworking levels for the scenarios in subsection (1) of this section; and

(7) Cost-benefit analysis detailing the net impact of teleworking on facility and total costs for the scenarios in subsection (1) of this section.

NEW SECTION. **Sec.**  (1) During the 2021-2023 fiscal biennium, the department of agriculture shall produce a fuel tax sticker for display on each motor fuel pump from which fuel is sold at retail that displays and provides notice of the federal and state fuel tax rates. The sticker must display the rate of each tax, in cents per gallon, for each type of fuel.

(2) The department of agriculture shall provide notice of federal and state fuel tax rates, in the form of a fuel tax sticker, to be displayed on motor fuel pumps.

(3) The department of agriculture shall distribute fuel tax stickers to all individuals who conduct fuel pump inspections, including department employees and local government employees. Government employees who conduct fuel pump inspections shall display a fuel tax sticker on each motor fuel pump or shall verify that such a sticker is being displayed at the time of inspection as required under this subsection. Fuel tax stickers must:

(a) Be displayed on each face of the motor fuel pump on which the price of the fuel sold from the pump is displayed; and

(b) Be displayed in a clear, conspicuous, and prominent manner.

(4) The department of agriculture shall provide fuel tax stickers by mail to fuel pump owners who request them for the face of each motor fuel pump for which a sticker is requested.

(5) The department of agriculture shall produce updated fuel tax stickers on an annual basis when one or more fuel tax rates have changed. Fuel tax stickers must be replaced at the time of motor fuel pump inspection if the sticker has been updated with any new fuel tax rates.

**TRANSPORTATION AGENCIES—OPERATING**

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

Move Ahead WA Flexible Account—State Appropriation $1,260,000

Agency Financial Transaction Account—State

Appropriation $103,000

TOTAL APPROPRIATION $1,363,000

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) $569,000 of the move ahead WA flexible account—state appropriation and $103,000 of the agency financial transaction account—state are provided for estimated implementation costs associated with new revenues.

(3) $141,000 of the move ahead WA flexible account—state appropriation is provided solely for chapter . . . (Engrossed Substitute Senate Bill No. 5815), Laws of 2022 (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

Multimodal Transportation Account—Federal

Appropriation $350,000

TOTAL APPROPRIATION $360,000

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

(1)(a) $10,000 of the move ahead WA flexible account—state appropriation is provided solely for development of a process to select projects to advance the research, development, or manufacturing of 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, the development of:

(i) Batteries;

(ii) Electric motors;

(iii) Sustainable fuels;

(iv) Hydrogen electrolyzers and storage; and

(v) Activities that support the supply chain of (a)(i) through (iv) of this subsection.

(b) In developing the project selection process, the department may consult industry representatives, members of historically underrepresented and unserved communities, and federally recognized tribes, and may seek additional funds for this purpose. 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.

(2) $350,000 of the multimodal transportation account—federal appropriation is provided solely for staff support for the interagency electric vehicle coordinating council created in chapter . . . (Engrossed Substitute Senate Bill No. 5974), Laws of 2022, in order to help implement the national electric vehicle program funded in the federal infrastructure investment and jobs act (P.L. 117-58).

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

(1) $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: (a) Sustainable aviation fuel storage; (b) electrification of ground support equipment; (c) electric aircraft charging infrastructure; (d) airport clean power production; or (e) 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 initial selection of sustainable aviation projects for funding by the legislature and recommended changes to modify and sustain the program.

(2) $1,000,000 of the aeronautics account—state appropriation is provided solely for move ahead WA aviation grants.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Multimodal Transportation Account—Federal

Appropriation $9,822,000

The appropriation in this section is subject to the following conditions and limitations: $9,822,000 of the multimodal transportation account—federal appropriation is provided solely to implement the national electric vehicle program, established in the federal infrastructure investment and jobs act (P.L. 117-58), as directed by the interagency electric vehicle coordinating council created in chapter . . . (Engrossed Substitute Senate Bill No. 5974), Laws of 2022. The amounts provided in this subsection include staff support for the council. The funding provided in this subsection may be used to support the publicly available mapping and forecasting tool under RCW 47.01.520, but only to the extent not funded in the omnibus appropriations act.

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 $1,850,000

The appropriation in this section is subject to the following conditions and limitations: $1,850,000 of the move ahead WA—state appropriation is provided solely for traffic operations enhancements. It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $30,000,000 for this purpose.

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 appropriation in this section is subject to the following conditions and limitations: $2,000,000 of the move ahead WA flexible account—state appropriation is provided solely for efforts to increase diversity in the transportation construction and maritime workforce. Of this amount:

(1) $500,000 of the move ahead WA flexible account—state appropriation is provided solely for: (a) The preapprenticeship support services (PASS) program, which aims to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce. In addition to the services allowed by RCW 47.01.435, the PASS program may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems in order to support the participation of these youth in a transportation-related preapprenticeship program; and (b) assisting minority and women-owned businesses to perform work in the highway construction industry. This assistance shall include technical assistance, business training, counseling, guidance, prime to subcontractor relationship building, and a capacity building mentorship program.

(2) $1,500,000 of the move ahead WA flexible account—state appropriation is provided solely for expansion of the PASS program to support apprenticeships and workforce development in the maritime industry through preapprenticeship training for inland waterways trades and support services to obtain necessary documents and coast guard certification.

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

Move Ahead WA Flexible Account—State Appropriation $1,500,000

Move Ahead WA Flexible Account—Federal Appropriation $1,000,000

TOTAL APPROPRIATION $2,500,000

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

(1) $1,500,000 of the move ahead WA flexible account—state appropriation and $1,000,000 of the move ahead WA flexible account—federal appropriation are provided solely for an Interstate 5 planning and environmental linkage study. This study will serve as a next step toward a statewide Interstate 5 master plan, building upon existing work underway in the corridor. It is the intent of the legislature to direct $40,000,000 to complete the planning and environmental linkage study over the course of the 16-year move ahead WA investment program.

(2) The study must meet planning and environmental linkages requirements to assess strategies and actions to address preservation and safety needs; climate change; improve corridor efficiency and person-throughput; and operate managed lanes effectively in the long-term. The study must include a robust public engagement program; and must assess multimodal transportation system impacts as well as economic, revenue and equity considerations. The outcome of this work will provide a basis for preliminary project planning, design, and environmental work.

(3) The department shall conduct initial stakeholder listening sessions and submit an interim report on the Interstate 5 planning and environmental linkage study to the joint transportation committee by June 30, 2023. The interim report will set study limits; outline milestones and deliverables for environmental analysis; define committee structure and equitable engagement approaches; define subsequent phases of the study; and determine final scope, budget, and workforce needs.

(4) As an initial element of the study, the department must identify and prepare recommendations for near-term actions to improve HOV lane system-wide performance. The study should identify steps required to convert HOV lanes to a different managed lane operating concept such as express toll lanes, including detailed analysis and environmental process. The recommendations must include the planning, design, environmental review, equity considerations, community engagement, traffic and revenue analysis, rate setting, and related engineering considerations necessary for a full I-5 HOV system conversion. The department shall submit an interim report on near-term recommendations to the legislative transportation committees by June 30, 2023.

(5) By December 1, 2022, the department must also submit a recommended approach and funding request to:

(a) Assess the seismic risk of the I-5 causeway from Boeing field to Lake City Way; and

(b) Recommendations for future work to mitigate seismic risk on the causeway, including estimated costs.

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

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

The appropriation in this section is subject to the following conditions and limitations: $2,000,000 of the move ahead WA flexible account—state appropriation is provided solely for enhanced funding to the office of minority and women's business enterprises to increase the number of certified women and minority-owned contractors in the transportation sector.

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

Climate Transit Programs Account—State Appropriation $53,436,000

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

(1) $14,120,000 of the climate transit programs account—state appropriation is provided solely for newly selected special needs grants. Of this amount:

(a) $3,248,000 of the climate transit programs account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost-effectiveness of trips provided.

(b) $10,872,000 of the climate transit programs account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2019 as reported in the "Summary of Public Transportation - 2019" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions.

(2) $33,606,000 of the climate transit programs account—state appropriation is provided solely for transit support grants. To be eligible for transit support grant distribution, transit agencies must submit documentation of fare-free policy for 18 years and under by October 1, 2022, to be eligible for the 2023-2025 biennium. Transit agencies that submit fare policy documentation following the October 1, 2022, deadline shall become eligible for the next biennial distribution.

(3) $4,710,000 of the climate transit programs account—state appropriation is provided solely for newly selected green transportation grants.

(4) $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.

(5) It is the intent of the legislature that $520,000 will be provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the 2023-2025 fiscal biennium.

(6) The department shall submit the projects on LEAP Transportation Document 2022 NL-3 as developed March 9, 2022, in three tiers to the transportation committees of the legislature and the office of financial management by December 1, 2022, prioritizing projects based on community impacts to overburdened communities as defined in RCW 70A.02.010.

**TRANSPORTATION AGENCIES—CAPITAL**

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

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

Climate Active Transportation Account—State

Appropriation $3,000,000

TOTAL APPROPRIATION $13,000,000

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

(1) The entire climate active transportation account—state appropriation is provided solely for newly selected complete streets grants.

(2) The entire move ahead WA account—state appropriation is provided solely for additional preservation funding to cities.

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

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

The appropriation in this section is subject to the following conditions and limitations: The entire move ahead WA account—state appropriation is provided solely for additional preservation funding allocations to counties through the county arterial preservation program.

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

Move Ahead WA Account—State Appropriation $32,000,000

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

(1) Except as otherwise provided in this section, the entire move ahead WA account—state appropriation is provided solely for the state highway projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed March 9, 2022.

(2)(a) It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $2,435,000,000 for fish passage barrier removal with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030. Furthermore, it is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise fully complying with the court injunction by 2030.

(b) The department shall coordinate with the Brian Abbott fish passage barrier removal board and local governments to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts.

(3)(a) $10,000,000 of the move ahead WA state—appropriation is provided solely for the stormwater retrofits and improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $500,000,000 for this project.

(b) The department shall ensure that $6,000,000 is provided to the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project from the $500,000,000 provided from stormwater retrofits and improvements over the 16-year move ahead WA investment program.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each biennium.

(4) $1,000,000 of the move ahead WA account—state appropriation is provided solely for the SR 522 Widening project (L4000031). The department must consider reserving portions of state route 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(5) $3,000,000 of the move ahead WA—state appropriation is provided solely for the US 2 Trestle Capacity Improvements & Westbound Trestle Replacement project (L4000056). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $210,541,000 for planning, design, right-of-way acquisition, interim improvements, and initial construction. It is the further intent of the legislature that this project enhance multimodal mobility options on the US 2 Trestle. The planning, design and engineering work must consider options to enhance transit and multimodal mobility, including bus rapid transit. The department must report to the legislature with its preliminary analysis of these options by June 30, 2023.

(6) It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $74,298,000 for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish Tribe must begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish Tribe. Regularly scheduled tribal consultation meetings with the Suquamish Tribe must continue throughout the duration of any funding program and proposed project approval.

(7) $10,000,000 of the move ahead WA account—state appropriation is provided solely for the I-5 Columbia River Bridge (L4000054). The legislature finds that the replacement of the I-5 Columbia River Bridge is a project of national significance and is critical for the movement of freight. One span is now 104 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging Interstate Bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia River Bridge with an investment of $1,000,000,000 over the 16-year move ahead WA investment program.

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

Move Ahead WA Account—Federal

Appropriation $140,000,000

The appropriation in this section is subject to the following conditions and limitations: $140,000,000 of the move ahead WA account—federal appropriation is provided solely for highway preservation (L4000057). The department must use funding provided in this subsection, along with other funds at its discretion, for the following preservation projects:

(1) I-5/SB Denny Way-Lakeview Viaduct;

(2) I-5/SB&NB Concrete and Joint Replacement;

(3) SR 529/NB Snohomish River – Bridge Rehabilitation and Painting;

(4) I-5/SB Snohomish River Bridge Painting.

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

Move Ahead WA Account—State Appropriation $1,250,000

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

(1) $1,250,000 of the move ahead WA account—state appropriation is provided solely for the department to establish a reducing rural roadway departures program (L2021122) to provide funding for safety improvements specific to preventing lane departures in areas where the departure is likely to cause serious injuries or death pursuant to section 433 of chapter . . . (Substitute Senate Bill No. 5974), Laws of 2022 (transportation resources).

(2) It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide $20,000,000 for this project.

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

Puget Sound Capital Construction Account—State

Appropriation $10,000,000

The appropriation in this section is subject to the following conditions and limitations: $10,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for vessel and terminal preservation projects.

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

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

Carbon Emissions Reduction Account—State

Appropriation $50,000,000

TOTAL APPROPRIATION $60,000,000

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 March 9, 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 for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award 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 Account—State Appropriation $131,900,000

Move Ahead WA Flexible Account—State Appropriation $5,000,000

Climate Active Transportation Account—State

Appropriation $20,182,000

TOTAL APPROPRIATION $157,082,000

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

(1) The entire move ahead WA account—state appropriation is provided solely for the local road projects and activities as listed in LEAP Transportation Document 2022 NL-1 as developed March 9, 2022.

(2) The department shall submit the projects on LEAP Transportation Document 2022 NL-2 as developed March 9, 2022, in three tiers to the transportation committees of the legislature and the office of financial management by December 1, 2022, prioritizing projects based on community impacts to overburdened communities as defined in RCW 70A.02.010.

(3) $10,686,000 of the climate active transportation account—state appropriation is provided solely for newly selected safe routes to school grants.

(4) $9,496,000 of the climate active transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle grants.

(5) It is the intent of the legislature that up to $14,000,000 will be provided for the Guemes Ferry Boat Replacement Project (L4000124).

(6) $5,000,000 of the move ahead WA flexible account—state appropriation is provided solely for railroad crossing grant awards which match federal funds for city and county projects which eliminate at-grade highway-rail crossings.

(7) It is the intent of the legislature that $25,000,000 will be provided as part of the move ahead WA investment package in a future biennium, as indicated on the list identified in subsection (1) of this section, for the Ballard and Magnolia bridge project (L4000123). As part of the project, the Seattle department of transportation (SDOT) must consult with an independent engineering firm to verify that the costs for the type, size, and location preliminary design report (TS&L), environmental impact statement (EIS), and 60 percent design work are within industry cost range standards in advance of moving forward with construction. SDOT must ensure that funds are maximized by limiting the percentage for TS&L, EIS, and 60 percent design work to 10 percent of the total cost of the project. Of the $25,000,000, $12,500,000 must remain in unallotted status, and may be distributed to SDOT only upon determination by the office of financial management that SDOT's cost estimates have been verified by an independent engineering firm as within industry cost range standards, and SDOT has secured the additional matching funding needed to complete the TS&L, EIS, and 60 percent design work.

(8)(a) It is the intent of the legislature, over the first five years of the move ahead WA program, that $50,000,000 will be provided to SDOT to implement Aurora Avenue North Safety Improvements (L4000154). Under this program, SDOT will be required to implement strategic transportation investments for the Aurora Ave N Corridor from N 90th St to N 105th St that ensure slow vehicle speeds, walkability, multimodal mobility, safe routes to local schools, and safety for residents, which will demonstrate the benefits of similar transportation investments for other locations along Aurora Avenue and elsewhere. SDOT must convene a neighborhood oversight board consisting of residents of communities of the Aurora Ave N Corridor to prioritize investments and monitor project implementation. The oversight board should be composed of an equitable representation of local communities along the Aurora Ave N Corridor, including residents with disabilities. SDOT will ensure that the oversight board is consulted on a bimonthly basis during the prioritization process.

(b) The legislature intends, upon completion of the State Route 99/Aurora Avenue North Planning Study, that projects recommended in the study will be funded by this program. A specific focus must be on access management to consolidate driveways and improve safety for vulnerable users. This work must also include installation of full curb and sidewalks to improve safety, mobility, transit ridership, equity, and work towards the goals set forth in vision zero, target zero, and the Washington state active transportation plan. SDOT must ensure the design and implementation of an accessible sidewalk network to support users with mobility limitations, convenient and accessible transit stops, all-ages-and-abilities bicycle facilities, and safe pedestrian-activated crosswalks that puts safety over speed, balances the needs of different modes, reduces the level of traffic stress experienced by pedestrians and cyclists, connects to existing bicycle and transit networks, creates safe walking and bicycling routes to local schools including crosswalks, improves human and environmental health, and supports the surrounding neighborhoods. SDOT must coordinate with the Washington state department of transportation and King county metro in implementing the investments. SDOT must ensure that funds are maximized by limiting the percentage for planning, predesign, design, permitting, and environmental review to 10 percent of the total cost of each project.

(c) The legislature intends that all Aurora Avenue North Safety Improvement projects funded in this program be completed by December 31, 2029, and that no funds may be expended for this purpose after this date.

**TRANSFERS AND DISTRIBUTIONS**

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

(1) Carbon Emissions Reduction Account—State Appropriation:

For transfer to the Puget Sound Ferry

Operations Account—State $600,000

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

(2)(a) Multimodal Transportation Account—State Appropriation:

For transfer to the Carbon Emissions Reduction

Account—State $127,000,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of ensuring a positive account balance for the remainder of the 2021-2023 fiscal biennium. An equivalent reimbursing transfer is to occur in the 2023-2025 fiscal biennium.

(3) Motor Vehicle Account—State Appropriation: For

transfer to the Move Ahead WA Account—State $3,607,000

(4) Electric Vehicle Account—State Appropriation:

For transfer to the Move Ahead WA Flexible

Account—State $16,064,000

(5) Carbon Emissions Reduction Account—State

Appropriation: For transfer to the Climate

Active Transportation Account—State $23,182,000

(6) Carbon Emissions Reduction Account—State

Appropriation: For transfer to the Climate

Transit Programs Account—State $53,436,000

**MISCELLANEOUS**

**Sec.**  RCW 82.44.200 and 2021 c 300 s 5 are each amended to read as follows:

The electric vehicle account is created in the transportation infrastructure account. Proceeds from the principal and interest payments made on loans from the account must be deposited into the account. Expenditures from the account may be used only for the purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and the support of other transportation electrification and alternative fuel related purposes, including RCW 47.01.520. Moneys in the account may be spent only after appropriation. During the 2021-2023 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the electric vehicle account to the move ahead WA flexible account.

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 ---**

Passed by the Senate March 10, 2022.

Passed by the House March 10, 2022.

Approved by the Governor March 25, 2022.

Filed in Office of Secretary of State March 28, 2022.