

HOUSE BILL REPORT

ESHB 1853

As Amended by the Senate

Title: An act relating to making certain corrective changes resulting from the enactment of chapter 182, Laws of 2022 (transportation resources).

Brief Description: Making certain corrective changes resulting from the enactment of chapter 182, Laws of 2022 (transportation resources).

Sponsors: House Committee on Transportation (originally sponsored by Representative Fey).

Brief History:

Committee Activity:

Transportation: 3/30/23, 4/4/23 [DPS].

Floor Activity:

Passed House: 4/10/23, 54-44.

Senate Amended.

Passed Senate: 4/14/23, 34-13.

House Refused to Concur.

Senate Receded.

Senate Amended.

Passed Senate: 4/20/23, 32-16.

Brief Summary of Engrossed Substitute Bill

- Makes changes to various provisions regarding transportation resources.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Fey, Chair; Donaghy, Vice Chair; Berry, Bronoske, Chapman, Cortes, Doglio, Duerr, Entenman, Hackney, Mena, Ramel, Ramos, Taylor and Wylie.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 9 members: Representatives Hutchins, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Goehner, Griffey, Klicker, Orcutt, Schmidt, Volz and Walsh.

Minority Report: Without recommendation. Signed by 5 members: Representatives Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Low, Assistant Ranking Minority Member; Dent.

Staff: David Munnecke (786-7315).

Background:

In 2022 the Legislature passed Engrossed Second Substitute Bill 5974 (ESSB 5794), regarding transportation resources. Included in the provisions of ESSB 5974 were the following:

- the application of the existing \$0.50 license service fee and \$0.25 license plate technology to trucks with a declared gross weight of 6,001 pounds or more, with the additional revenue deposited in the Move Ahead WA Account;
- the modification of one restrictive statute in order to allow a Regional Transit Authority (RTA) to gain eligibility to compete for state regional mobility grant funds, if the RTA enacted a policy for passengers 18 years of age and younger to ride free of charge on all modes of transportation by October 1, 2022;
- the establishment of a Connecting Communities Grant Pilot Program at the Washington State Department of Transportation (WSDOT) through July 1, 2027;
- the establishment of a statewide school-based Bicycle Education Grant Program at the WSDOT;
- an authorization for the remittances of noninterest revenues received from the automated traffic safety camera infractions occurring in school walk areas, public park speed zones, and hospital speed zones to be deposited in the Cooper Jones Active Transportation Safety Account;
- the modification of the title of account 20N to the JUDY Transportation Future Funding Program Account, to be used only for preservation and improvement projects, to accelerate the schedule of Connecting Washington projects, and for principal and interest on bonds authorized for the projects;
- a requirement for the WSDOT to establish a complete streets requirement for state transportation projects starting design on or after July 1, 2022, and that are \$500,000 or greater;
- the establishment of a Transit Support Grant Program at the WSDOT; and
- the establishment of an Interagency Electric Vehicle Coordinating Council co-led by the WSDOT and the Department of Commerce.

Summary of Engrossed Substitute Bill:

The application of the existing license plate technology and license service fees is expanded

to include all trucks, and the revenue from those fees are directed to the Move Ahead WA Account.

An RTA is made eligible to receive state Regional Mobility Grant Program funds, through a modification to two restrictive statutes, if the RTA enacts a policy for passengers 18 years of age and younger to ride free of charge on all modes of transportation prior to October 1, 2022.

The Connecting Communities Program at the WSDOT is renamed the Sandy Williams Connecting Communities Program, in honor of the Spokane community advocate Sandy Williams.

The statewide school-based Bicycle Education Grant Program is modified to elaborate the types of equipment a nonprofit may provide to partner schools, to include bicycles, helmets, locks, and lights.

The Washington State Traffic Safety Commission is required to report to the transportation committees of the Legislature on activities funded from the Cooper Jones Active Transportation Account beginning December 1, 2024, and every two years thereafter.

The account title of account 20N is modified to the JUDY Transportation Future Funding Program Account, to allow the account to keep its own interest generated.

The requirement for the WSDOT to incorporate complete streets principles into certain projects is recodified from chapter 47.24 RCW to chapter 47.04 RCW.

Definitions for the terms "active transportation, complete streets, population center, safe systems approach, and shared-use path or multiuse path" are added to Title 47 RCW.

The Transit Support Grant Program is modified to specify that youth zero-fare policies must align with equity and environmental justice principles consistent with recommendations from the Environmental Justice Council to the extent practicable, and ensure low-barrier accessibility to a youth zero-fare program.

Identifying the revenues generated by an electric utility from credits under the Clean Fuels Program for transportation electrification programs are added to the responsibilities of the Interagency Electric Vehicle Coordinating Council.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment:

1. clarifies that to qualify for transit support grants, transit agencies may not delay or suspend the collection of certain voter-approved sales taxes; and
2. creates a new account, the Clean Fuels Transportation Investment Account. Receipts

to the state from clean fuel credits generated from transportation investments must be deposited into the account. Expenditures from the account may only be used for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains multiple effective dates. Please see the bill.

Staff Summary of Public Testimony:

(In support) There was a question regarding whether changes to certain fees would fit within the scope and object of the original bill, so this bill was introduced in order to resolve the issue.

(Opposed) None.

Persons Testifying: Representative Jake Fey, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.