
SUBSTITUTE HOUSE BILL 1125

State of Washington

68th Legislature

2023 Regular Session

By House Transportation (originally sponsored by Representatives Fey, Lekanoff, Timmons, Paul, Wylie, and Donaghy; by request of Office of Financial Management)

READ FIRST TIME 03/31/23.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 82.21.030, 46.68.060, 46.68.300, 47.60.322,
3 46.68.290, 46.68.063, 47.60.530, 47.60.315, 34.05.350, 46.09.540,
4 47.66.120, 70A.205.415, 46.68.410, 47.12.063, 46.68.500, 46.68.490,
5 46.68.280, 46.68.395, 82.44.200, and 47.56.864; amending 2021 c 333
6 ss 110, 111, 103, and 407; amending 2022 c 186 ss 205-224, 301-310,
7 312, and 401-406 (uncodified); adding new sections to 2022 c 186
8 (uncodified); creating new sections; repealing 2022 c 187 ss 1,
9 101-104, 201-211, 301-308, 401, 501, 502, and 503 (uncodified);
10 making appropriations and authorizing expenditures for capital
11 improvements; providing a contingent effective date; and declaring an
12 emergency.

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

14 **2023-2025 FISCAL BIENNIUM**

15 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
16 is hereby adopted and, subject to the provisions set forth, the
17 several amounts specified, or as much thereof as may be necessary to
18 accomplish the purposes designated, are hereby appropriated from the
19 several accounts and funds named to the designated state agencies and
20 offices for employee compensation and other expenses, for capital

1 projects, and for other specified purposes, including the payment of
2 any final judgments arising out of such activities, for the period
3 ending June 30, 2025.

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

6 (a) "Fiscal year 2024" or "FY 2024" means the fiscal year ending
7 June 30, 2024.

8 (b) "Fiscal year 2025" or "FY 2025" means the fiscal year ending
9 June 30, 2025.

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

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

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

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

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

24 **GENERAL GOVERNMENT AGENCIES—OPERATING**

25 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
26 **HISTORIC PRESERVATION**

27 Motor Vehicle Account—State Appropriation. \$588,000

28 NEW SECTION. **Sec. 102. FOR THE DEPARTMENT OF ENTERPRISE**
29 **SERVICES**

30 Carbon Emissions Reduction Account—State
31 Appropriation. \$12,000,000

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$12,000,000 of the carbon emissions
34 reduction account—state appropriation is provided solely for zero
35 emissions electric vehicle supply equipment infrastructure at
36 facilities to accommodate charging station installations. The

1 electric vehicle charging equipment must allow for the collection of
2 usage data and must be coordinated with the state efficiency and
3 environmental performance program. The department must prioritize
4 locations based on state efficiency and environmental performance
5 location priorities and where zero emissions fleet vehicles are
6 located or are scheduled to be purchased. The department must report
7 when and where the equipment was installed, usage data at each
8 charging station, and the state agencies and facilities that benefit
9 from the installation of the charging station to the fiscal
10 committees of the legislature by June 30, 2025, with an interim
11 report due January 2, 2024. The department shall collaborate with the
12 interagency electric vehicle coordinating council to implement this
13 subsection and must work to meet benchmarks established in chapter
14 182, Laws of 2022 (transportation resources). In carrying out this
15 subsection, the department shall cooperate and provide assistance, as
16 requested, in the joint transportation committee's development of
17 program delivery evaluation tools and methodologies provided under
18 section 204 of this act for programs that receive funding from the
19 carbon emissions reduction account.

20 NEW SECTION. **Sec. 103. FOR THE DEPARTMENT OF NATURAL RESOURCES**

21 Carbon Emissions Reduction Account—State

22 Appropriation. \$2,200,000

23 The appropriations in this section are subject to the following
24 conditions and limitations: \$2,200,000 of the carbon emissions
25 reduction account—state appropriation is provided solely for a fleet
26 charging infrastructure expansion assessment, to develop a charger
27 installation plan by location with cost estimates, and to procure and
28 deploy electric pickup trucks to gather practical information to
29 support planning efforts and future large-scale electric vehicle
30 adoption. In carrying out this subsection, the department shall
31 cooperate and provide assistance, as requested, in the joint
32 transportation committee's development of program delivery evaluation
33 tools and methodologies provided under section 204 of this act for
34 programs that receive funding from the carbon emissions reduction
35 account.

36 NEW SECTION. **Sec. 104. FOR THE UTILITIES AND TRANSPORTATION**
37 **COMMISSION**

1 must display the rate of each tax, in cents per gallon, for each type
2 of fuel.

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

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

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

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

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

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

24 NEW SECTION. **Sec. 108. FOR THE LEGISLATIVE EVALUATION AND**
25 **ACCOUNTABILITY PROGRAM COMMITTEE**

26 Motor Vehicle Account—State Appropriation. \$744,000

27 NEW SECTION. **Sec. 109. FOR THE OFFICE OF MINORITY AND WOMEN'S**
28 **BUSINESS ENTERPRISES**

29 Move Ahead WA Flexible Account—State Appropriation. \$3,000,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: The entire appropriation in this section
32 is provided solely for increasing the number of certified women and
33 minority-owned contractors outside of the Puget Sound area in the
34 transportation sector and supporting these contractors to
35 successfully compete and earn more transportation contracting
36 opportunities. This shall be done through various programs including
37 but not limited to: (1) Outreach to women and minority business

1 communities and individuals; (2) technical assistance, mentorship,
2 and consultation as needed in areas such as financing, accounting,
3 contracting, procurement, and resolution of disputes and grievances;
4 (3) language access programs for those with limited English
5 proficiency; (4) developing a truck rotation program to allow smaller
6 minority and women-owned trucking companies to pool their resources
7 and compete with larger scale trucking operations; and (5) other
8 programs that aim to increase the number of women and minority
9 contractors that are successful in obtaining contracts in the
10 transportation sector either directly with state agencies such as the
11 department, with local jurisdictions, or as subcontractors for prime
12 contractors.

13 NEW SECTION. **Sec. 110. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

14 Pilotage Account—State Appropriation. \$3,554,000

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

17 (1) The board of pilotage commissioners shall continue to file
18 the annual report to the governor and chairs of the transportation
19 committees required under RCW 88.16.035(1)(f) by September of each
20 year of the biennium. The report must include the continuation of
21 policies and procedures necessary to increase the diversity of
22 pilots, trainees, and applicants, including a diversity action plan.

23 (2) \$232,000 is provided to fund a temporary environmental
24 planner position to support rulemaking to fulfill the requirements of
25 chapter 289, Laws of 2019.

26 NEW SECTION. **Sec. 111. FOR THE OFFICE OF THE GOVERNOR**

27 Motor Vehicle Fund—State Appropriation. \$457,000

28 State Patrol Highway Account—State Appropriation. \$750,000

29 TOTAL APPROPRIATION. \$1,207,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: \$750,000 of the state patrol highway
32 account—state appropriation is provided solely to the state office of
33 equity solely to achieve equity in Washington state patrol
34 recruitment and retention practices and to conduct the studies,
35 evaluations, and reporting functions required in chapter 146, Laws of
36 2022.

1 NEW SECTION. **Sec. 112. FOR THE ECONOMIC AND REVENUE FORECAST**
2 **COUNCIL**

3 Motor Vehicle Account—State Appropriation. \$674,000

4 The appropriation in this section is subject to the following
5 conditions and limitations: The entire motor vehicle account—state
6 appropriation is provided solely for the implementation of
7 chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of
8 2023 (transportation revenue forecast). If chapter . . . (Engrossed
9 Substitute House Bill No. 1838), Laws of 2023 is not enacted by June
10 30, 2023, the amount provided in this subsection lapses.

11 NEW SECTION. **Sec. 113. FOR THE UNIVERSITY OF WASHINGTON**

12 Multimodal Transportation Account—State
13 Appropriation. \$2,000,000

14 The appropriation in this section is subject to the following
15 conditions and limitations: \$2,000,000 of the multimodal
16 transportation account—state appropriation is provided solely for the
17 creation of data for a sidewalk inventory and accessibility mapping
18 project. The University of Washington shall publish collected data
19 under an open license in a manner suitable for use by the Washington
20 department of transportation, local and regional agencies, tribal
21 governments, and the general public. In gathering data, the
22 university shall prioritize communities identified by the department
23 of ecology as overburdened and highly impacted by criteria air
24 pollution. A report shall be submitted to the transportation
25 committees of the legislature and the office of the governor by
26 December 1, 2024, describing progress and selected areas for
27 inventory and mapping. Data shall be available publicly and a final
28 report shall be submitted to the transportation committees of the
29 legislature and the office of the governor by December 1, 2025.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
3 **COMMISSION**

4 Highway Safety Account—State Appropriation.	\$5,156,000
5 Highway Safety Account—Federal Appropriation.	\$27,699,000
6 Highway Safety Account—Private/Local Appropriation.	\$60,000
7 Cooper Jones Active Transportation Safety Account—	
8 State Appropriation.	\$400,000
9 School Zone Safety Account—State Appropriation.	\$850,000
10 TOTAL APPROPRIATION.	\$34,165,000

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

13 (1) The Washington traffic safety commission may oversee a pilot
14 program in up to three cities implementing the use of automated
15 vehicle noise enforcement cameras in zones that have been designated
16 by ordinance as "Stay Out of Areas of Racing."

17 (a) Any programs authorized by the commission must be authorized
18 by December 31, 2024.

19 (b) If a city has established an authorized automated vehicle
20 noise enforcement camera pilot program under this section, the
21 compensation paid to the manufacturer or vendor of the equipment used
22 must be based upon the value of the equipment and services provided
23 or rendered in support of the system.

24 (c) Any city administering a pilot program overseen by the
25 traffic safety commission shall use the following guidelines to
26 administer the program:

27 (i) Automated vehicle noise enforcement camera may record
28 photographs or audio of the vehicle and vehicle license plate only
29 while a violation is occurring. The picture must not reveal the face
30 of the driver or of passengers in the vehicle;

31 (ii) The law enforcement agency of the city or county government
32 shall install two signs facing opposite directions within 200 feet,
33 or otherwise consistent with the uniform manual on traffic control
34 devices, where the automated vehicle noise enforcement camera is used
35 that state "Street Racing Noise Pilot Program in Progress";

36 (iii) Cities testing the use of automated vehicle noise
37 enforcement cameras must post information on the city website and

1 notify local media outlets indicating the zones in which the
2 automated vehicle noise enforcement cameras will be used;

3 (iv) A city may only issue a warning notice with no penalty for a
4 violation detected by automated vehicle noise enforcement cameras in
5 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
6 the registered owner of a vehicle within 14 days of the detected
7 violation;

8 (v) A violation detected through the use of automated vehicle
9 noise enforcement cameras is not part of the registered owner's
10 driving record under RCW 46.52.101 and 46.52.120;

11 (vi) Notwithstanding any other provision of law, all photographs,
12 videos, microphotographs, audio recordings, or electronic images
13 prepared under this section are for the exclusive use of law
14 enforcement in the discharge of duties under this section and are not
15 open to the public and may not be used in a court in a pending action
16 or proceeding. No photograph, microphotograph, audio recording, or
17 electronic image may be used for any purpose other than the issuance
18 of warnings for violations under this section or retained longer than
19 necessary to issue a warning notice as required under this subsection
20 (1); and

21 (vii) By June 30, 2025, the participating cities shall provide a
22 report to the commission and appropriate committees of the
23 legislature regarding the use, public acceptance, outcomes, warnings
24 issued, data retention and use, and other relevant issues regarding
25 automated vehicle noise enforcement cameras demonstrated by the pilot
26 projects.

27 (2) The Washington traffic safety commission shall coordinate
28 with each city that implements a pilot program as authorized in RCW
29 46.63.170, chapter 224, Laws of 2020 to provide the transportation
30 committees of the legislature with the following information by June
31 30, 2025:

32 (a) The number of warnings and infractions issued to first-time
33 violators under the pilot program;

34 (b) The number of warnings and infractions issued to the
35 registered owners of vehicles that are not registered with an address
36 located in the city conducting the pilot program; and

37 (c) The frequency with which warnings and infractions are issued
38 on weekdays versus weekend days.

1	Rural Arterial Trust Account—State Appropriation.	\$1,282,000
2	Motor Vehicle Account—State Appropriation.	\$3,545,000
3	County Arterial Preservation Account—State	
4	Appropriation.	\$2,052,000
5	TOTAL APPROPRIATION.	\$6,879,000

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

7	Transportation Improvement Account—State	
8	Appropriation.	\$4,808,000

9 NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

10	Carbon Emissions Reduction Account—State	
11	Appropriation.	\$3,000,000
12	Motor Vehicle Account—State Appropriation.	\$3,869,000
13	Multimodal Transportation Account—State	
14	Appropriation.	\$375,000
15	TOTAL APPROPRIATION.	\$7,244,000

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

18 (1) \$125,000 of the motor vehicle account—state appropriation and
19 \$125,000 of the multimodal transportation account—state appropriation
20 are for the joint transportation committee to evaluate potential
21 options and make recommendations for a statewide household travel
22 survey and additional analytical capacity regarding transportation
23 research.

24 (a) The recommendation on the statewide household travel survey
25 must be based on how well a statewide survey investment would:
26 Address policy questions related to household travel; address gaps
27 between separate regional and local transportation models; and create
28 a dataset to allow both for analysis and response to policymakers'
29 questions relating to household travel and for transportation
30 modeling and development. In evaluating potential survey options, the
31 committee shall consider opportunities for the state to partner and
32 expand on developed established household travel surveys, including
33 surveys conducted at both the Puget Sound regional council and the
34 federal highway administration. In its recommendation, the committee
35 shall outline the process required for a statewide survey, including
36 the costs and timing of each option.

1 (b) The committee shall recommend an agency or agencies to
2 perform ongoing analysis of a statewide household travel survey and
3 other transportation research. The committee shall consider the
4 ability of an agency or agencies to meet shorter timeline policy
5 needs, as well as longer timeline research projects. The
6 recommendation must include the timing and costs associated with the
7 development of such analytical capacity.

8 (2) \$420,000 of the motor vehicle account—state appropriation is
9 for the joint transportation committee to continue to provide
10 consultant resources to assist Washington state ferries in
11 implementing its workforce plan including addressing recruitment,
12 retention, diversity, training needs, leadership development, and
13 succession planning.

14 (3) \$450,000 of the motor vehicle account—state appropriation is
15 for the joint transportation committee to provide oversight over the
16 procurement of the hybrid-electric Olympic class vessels. The
17 committee must hire an expert consultant to review Washington state
18 ferries documents and procedures relating to the procurement and
19 identify opportunities to improve the process for the benefit of the
20 state of Washington. The consultant must be familiar with vessel
21 procurement best practices, the technologies and propulsion systems
22 planned for use in the new vessels, and Washington state ferries
23 operations and procurement procedures. A report on the status and
24 assessment of the procurement is due by December 15th of each year.

25 (4) \$250,000 of the motor vehicle account—state appropriation is
26 for the joint transportation committee, from amounts set aside out of
27 statewide fuel taxes distributed to cities according to RCW
28 46.68.110(2), to convene a study of a statewide retail delivery fee
29 on orders of taxable retail items delivered by motor vehicles within
30 the state. The study must: Determine the annual revenue generation
31 potential of a range of fee amounts; examine options for revenue
32 distributions to state and local governments based upon total
33 deliveries, lane miles, or other factors; and estimate total
34 implementation costs including start-up and ongoing administrative
35 costs. The study should document and evaluate similar programs
36 adopted in other states. The joint transportation committee must
37 issue a final report to the transportation committees of the
38 legislature by June 30, 2024.

1 (5) (a) \$2,000,000 of the carbon emissions reduction account—state
2 appropriation is for the joint transportation committee to oversee:

3 (i) The design of an infrastructure and incentive strategy to
4 drive the purchase and use of zero-emission medium and heavy duty
5 vehicles in the state including, but not limited to, programs for
6 drayage trucks and school buses; and

7 (ii) A review of the passenger vehicle tax incentive in current
8 law and evaluation of its utility, to include possible modification
9 of the criteria for eligibility and tax incentive amount maximums, as
10 applicable.

11 (b) Design development must include recommendations for
12 encouraging vehicle conversions for smaller commercial vehicle fleets
13 and owner-operators of commercial vehicles, as well as tools for
14 facilitating carbon emission reductions to benefit vulnerable
15 populations and overburdened communities. Infrastructure and
16 incentive programs recommended may include, but are not limited to,
17 grant, rebate, tax incentive, and financing assistance programs.

18 (c) Consultation with legislative members identified by the chair
19 and ranking members of the transportation committees of the
20 legislature throughout design of the infrastructure and incentive
21 strategy is required. A report is due to the transportation
22 committees of the legislature by January 2, 2024.

23 (6) \$1,000,000 of the carbon emissions reduction account—state
24 appropriation is for the joint transportation committee to oversee
25 the development of tools and methodologies to assist in program
26 delivery evaluation for programs that receive appropriations from the
27 carbon emissions reduction account, the climate active transportation
28 account, and the climate transit programs account. Program delivery
29 evaluation must include carbon emissions reduction estimates by
30 program and by unit of time, program cost per unit of emission
31 reduction, quantified benefits to vulnerable populations and
32 overburdened communities by program cost, any additional appropriate
33 qualitative and quantitative metrics, and actionable recommendations
34 for improvements in program delivery. A report is due to the
35 transportation committees of the legislature by October 1, 2024.

36 (7) \$250,000 of the multimodal transportation account—state
37 appropriation is for the joint transportation committee to conduct a
38 benefit-cost analysis of electrification of class 1 rail yards in
39 Washington state to study the feasibility of rail yard

1 electrification by working in consultation with class 1 rail carriers
2 operating in the state to:

3 (a) Create an inventory of switcher locomotives operating in
4 class 1 rail yards in the state, including the tier status of
5 switchers;

6 (b) Estimate the annual emissions generated from current
7 switching operations;

8 (c) Determine the approximate replacement cost of identified
9 switchers using tier-5 battery-electric switcher locomotives and the
10 necessary charging infrastructure; and

11 (d) Present the findings to the transportation committees of the
12 legislature by December 1, 2023.

13 (8) \$500,000 of the motor vehicle account—state appropriation is
14 for the joint transportation committee to engage an independent
15 review team to work in coordination with the Washington state
16 department of transportation's analysis, funded in section 223 of
17 this act, of highway, road, and freight rail transportation needs,
18 options, and impacts from shifting the movement of freight and goods
19 that currently move by barge through the lower Snake River dams to
20 highways, other roads, and rail, to ensure greater confidence in the
21 results of the analysis.

22 (a) The department shall include the independent review team in
23 all phases of the analysis to enable the team to develop an
24 independent assessment of the analysis, assumptions, stakeholder
25 engagement, and cost and impact estimates. Summary findings from the
26 independent assessment must be provided to the department, the
27 governor's office, and the transportation committees of the
28 legislature on a quarterly basis, with a final report due to the
29 governor and the transportation committees of the legislature by June
30 30, 2025.

31 (b) The independent review team is required to conduct an
32 independent stakeholder engagement effort. The river transportation
33 work group shall be formed to provide data and guidance to the
34 independent review team for the independent stakeholder engagement
35 effort. The river transportation work group shall be made up of
36 stakeholders including farming and agricultural production, federally
37 recognized tribes and fishing industry, tug and barge operators,
38 shippers and receivers, public ports, railroad operators, cruise
39 lines, and the army corps of engineers.

1 (c) The independent review team shall make regular presentations
2 to the joint transportation committee and, by request, to the
3 legislature's transportation committees.

4 (9) (a) \$250,000 of the motor vehicle account—state appropriation
5 is for the joint transportation committee to convene a WSDOT local
6 partnership work group to create a procedure whereby the department
7 of transportation can partner with a local jurisdiction to perform
8 preservation and maintenance and construct projects on state
9 highways.

10 (b) The work group must consist of, but is not limited to, the
11 following members: At least three representatives from the department
12 of transportation with an understanding of the construction process
13 and contractual legal process used when partnering with other
14 jurisdictions and at least four representatives that are a city or
15 county transportation project managers. Work group members are
16 eligible for reimbursement or allowance for expenses pursuant to RCW
17 43.03.220.

18 (c) The work group must make recommendations of how the
19 department could better work in partnership with local jurisdictions
20 to ensure that roadway construction projects can be performed when
21 money is made available in the transportation budget even if the
22 department of transportation does not have the capacity to be the
23 project manager on a project and a local jurisdiction is ready,
24 willing, and able to implement the project within the time frames
25 envisioned in the budget.

26 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

27	Motor Vehicle Account—State Appropriation.	\$2,539,000
28	Interstate 405 and State Route Number 167 Express	
29	Toll Lanes Account—State Appropriation.	\$127,000
30	Multimodal Transportation Account—State	
31	Appropriation.	\$200,000
32	State Route Number 520 Corridor Account—State	
33	Appropriation.	\$276,000
34	Tacoma Narrows Toll Bridge Account—State	
35	Appropriation.	\$180,000
36	Alaskan Way Viaduct Replacement Project Account—	
37	State Appropriation.	\$172,000
38	TOTAL APPROPRIATION.	\$3,494,000

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

3 (1) \$127,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$276,000 of the state
5 route number 520 corridor account—state appropriation, \$180,000 of
6 the Tacoma Narrows toll bridge account—state appropriation, and
7 \$172,000 of the Alaskan Way viaduct replacement project account—state
8 appropriation are provided solely for the transportation commission's
9 time spent supporting tolling operations for the respective tolling
10 facilities.

11 (2) Within the parameters established by RCW 47.56.880, the
12 commission shall review toll revenue performance on the Interstate
13 405 and state route number 167 corridor and adjust Interstate 405
14 tolls as appropriate to increase toll revenue to provide sufficient
15 funds for payments of future debt pursuant to RCW 47.10.896 and to
16 support improvements to the corridor. The commission may consider
17 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
18 restricting direct access ramps to transit and HOV vehicles only, or
19 any combination thereof, in setting tolls to increase toll revenue.

20 (3) \$125,000 of the motor vehicle account—state appropriation and
21 \$125,000 of the multimodal transportation account—state appropriation
22 are provided solely for the commission to update the Washington state
23 transportation plan.

24 (4) The transportation commission shall conduct an assessment
25 aimed at identifying approaches to streamlining the current
26 rulemaking process for setting toll rates and policies for eligible
27 toll facilities, while maintaining public access and providing
28 opportunities to give input on proposals. The intent of the
29 assessment shall be to identify rulemaking approaches that support
30 the state's ability to set toll rates and policies in a timely and
31 efficient manner, so that the state can meet anticipated funding
32 obligations. This assessment should include a review of rate-setting
33 processes used by toll authorities in other states. The
34 transportation commission shall provide recommendations to the senate
35 and house transportation committees by July 31, 2024.

36 (5) The commission shall reconvene the road usage charge steering
37 committee, with the same membership described in chapter 297, Laws of
38 2018. Any legislative vacancies on the steering committee must be
39 appointed by the speaker of the house of representatives for a house

1 of representatives member vacancy, and by the president of the senate
2 for a senate member vacancy.

3 (a) The commission shall report to the steering committee on the
4 results of the activities undertaken in accordance with the federal
5 grant awarded July 2020 ("Forward Drive") by December 31, 2023. A
6 final report on the status of Forward Drive must be provided to the
7 governor's office and the transportation committees of the
8 legislature by January 5, 2024.

9 (b) The commission shall coordinate with the department of
10 transportation to jointly seek federal funds available through the
11 federal strategic innovations in revenue collection grant program,
12 applying toll credits for meeting match requirements. The commission
13 must provide draft applications for federal grant opportunities to
14 the chairs and ranking members of the transportation committees of
15 the legislature for review and comment prior to submission.

16 (c) Subject to the award of federal funding under the federal
17 strategic innovations in revenue collection grant program, the
18 commission shall convene a road usage charge technical committee
19 comprising representatives of state agencies involved in the research
20 and administration of a road usage charging including, at minimum,
21 the commission and the department of licensing, and with
22 participation from partner states who have road usage charge
23 programs. The technical committee shall facilitate information
24 sharing among participating agencies about road usage charging,
25 prioritize operational and policy issues for further analysis and
26 resolution, and identify topics to explore through federally-funded
27 research. The commission must report on the activities of the
28 technical committee to the governor's office and the transportation
29 committees of the legislature annually by January 5th of each year.

30 (6) \$75,000 of the multimodal transportation account—state
31 appropriation is provided solely for the commission to carry out an
32 initial assessment and scoping effort to determine the feasibility of
33 creating a future west coast transportation network plan. This plan
34 would serve to proactively identify and coordinate improvements and
35 investments across the west coast states to freight rail, passenger
36 rail, highways, and air transportation. The intent for the plan is to
37 leverage and align west coast efforts to reduce our collective carbon
38 footprint, improve freight and passenger mobility, and strengthen
39 west coast resiliency. This effort must be carried out in partnership
40 with the Oregon and California transportation commissions and the

1 (1) Within appropriated funds, the freight mobility strategic
2 investment board may opt in as provided under RCW 70A.02.030 to
3 assume all of the substantive and procedural requirements of covered
4 agencies under chapter 70A.02 RCW. The board shall include in its
5 2022 annual report to the legislature a progress report on opting
6 into the healthy environment for all act and a status report on
7 diversity, equity, and inclusion within the board's jurisdiction.

8 (2) The board shall on an annual basis provide status reports to
9 the office of financial management and the transportation committees
10 of the legislature on the delivery of the freight mobility strategic
11 investment projects on LEAP Transportation Document 2023-2 ALL
12 PROJECTS as developed on March 26, 2023.

13 (3) \$743,000 of the freight mobility investment account—state is
14 provided solely for the implementation of chapter . . . (Substitute
15 House Bill No. 1084), Laws of 2023 (freight mobility priorities). If
16 chapter . . . (Substitute House Bill No. 1084), Laws of 2023 is not
17 enacted by June 30, 2023, the amount provided in this subsection
18 lapses.

19 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

20	Alaskan Way Viaduct Replacement Project Account—	
21	State Appropriation.	\$42,000
22	State Patrol Highway Account—State Appropriation.	\$605,474,000
23	State Patrol Highway Account—Federal Appropriation.	\$20,314,000
24	State Patrol Highway Account—Private/Local	
25	Appropriation.	\$4,592,000
26	Highway Safety Account—State Appropriation.	\$3,378,000
27	Ignition Interlock Device Revolving Account—State	
28	Appropriation.	\$1,954,000
29	Multimodal Transportation Account—State	
30	Appropriation.	\$315,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$88,000
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation.	\$272,000
35	Interstate 405 and State Route Number 167 Express	
36	Toll Lanes Account—State Appropriation.	\$2,860,000
37	TOTAL APPROPRIATION.	\$639,289,000

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

3 (1) Washington state patrol officers engaged in off-duty
4 uniformed employment providing traffic control services to the
5 department of transportation or other state agencies may use state
6 patrol vehicles for the purpose of that employment, subject to
7 guidelines adopted by the chief of the Washington state patrol. The
8 Washington state patrol must be reimbursed for the use of the vehicle
9 at the prevailing state employee rate for mileage and hours of usage,
10 subject to guidelines developed by the chief of the Washington state
11 patrol.

12 (2) \$580,000 of the state patrol highway account—state
13 appropriation is provided solely for the operation of and
14 administrative support to the license investigation unit to enforce
15 vehicle registration laws in southwestern Washington. The Washington
16 state patrol, in consultation with the department of revenue, shall
17 maintain a running estimate of the additional vehicle registration
18 fees, sales and use taxes, and local vehicle fees remitted to the
19 state pursuant to activity conducted by the license investigation
20 unit. Beginning October 1, 2023, and semiannually thereafter, the
21 Washington state patrol shall submit a report detailing the
22 additional revenue amounts generated since January 1, 2023, to the
23 director of the office of financial management and the transportation
24 committees of the legislature. At the end of the calendar quarter in
25 which it is estimated that more than \$625,000 in state sales and use
26 taxes have been remitted to the state since January 1, 2023, the
27 Washington state patrol shall notify the state treasurer and the
28 state treasurer shall transfer funds pursuant to section 406 of this
29 act.

30 (3) By December 1st of each year during the 2023-2025 biennium,
31 the Washington state patrol must report to the house and senate
32 transportation committees on the status of recruitment and retention
33 activities as follows:

34 (a) A summary of recruitment and retention strategies;

35 (b) The number of transportation funded staff vacancies by major
36 category;

37 (c) The number of applicants for each of the positions by these
38 categories;

39 (d) The composition of workforce;

1 (e) Other relevant outcome measures with comparative information
2 with recent comparable months in prior years; and

3 (f) Activities related to the implementation of the agency's
4 workforce diversity plan, including short-term and long-term,
5 specific comprehensive outreach and recruitment strategies to
6 increase populations underrepresented within both commissioned and
7 noncommissioned employee groups.

8 (4) (a) \$5,825,000 of the state patrol highway account—state
9 appropriation is provided solely for the land mobile radio system
10 replacement, upgrade, and other related activities.

11 (b) Funding is not provided for the six-year replacement of
12 individual portable radios and mobile car radios at this time. Prior
13 to requesting funding as part of future agency budget submittals for
14 this component of the land mobile radio project, the Washington state
15 patrol, in consultation with the office of the state chief
16 information officer, must conduct a technical feasibility analysis
17 and cost comparison between potential project vendors in order to
18 determine that the recommended vendor will result in the most cost
19 effective project delivery, while maintaining interoperability with
20 other radio systems and ensure maximum radio coverage. A report
21 detailing the results and recommendations from these requirements
22 must be submitted to the office of financial management and the house
23 and senate transportation committees by November 1, 2023.

24 (c) Beginning January 1, 2024, the Washington state patrol must
25 report semiannually to the office of the state chief information
26 officer on the progress related to the projects and activities
27 associated with the land mobile radio system, including the
28 governance structure, outcomes achieved in the prior six month time
29 period, and how the activities are being managed holistically as
30 recommended by the office of the chief information officer. At the
31 time of submittal to the office of the state chief information
32 officer, this report shall be transmitted to the office of financial
33 management and the house and senate transportation committees.

34 (5) \$4,732,000 of the state patrol highway account—state
35 appropriation is provided solely for two accelerated training
36 programs for lateral hires.

37 (6) \$1,624,000 of the state patrol highway account—state
38 appropriation is provided solely for the criminal investigation
39 division.

1 (7) \$1,026,000 of the state patrol highway account—state
2 appropriation is provided solely for the diversity, equity, and
3 inclusion program.

4 (8) \$1,636,000 of the state patrol highway account—state
5 appropriation is provided solely for a community engagement program
6 to improve relationships with historically underrepresented
7 communities and to recruit and retain a diverse workforce.

8 (9) The appropriations in this section provide sufficient funding
9 for state patrol staffing assuming vacancy savings which may change
10 over time. Funding for staffing will be monitored and adjusted in the
11 2024 supplemental budget to restore funding as authorized staffing
12 levels are achieved.

13 (10) \$98,000 of the state patrol highway account—state is
14 provided solely for the implementation of chapter . . . (House Bill
15 No. 1179), Laws of 2023 (nonconviction data). If chapter . . . (House
16 Bill No. 1179), Laws of 2023 is not enacted by June 30, 2023, the
17 amount provided in this subsection lapses.

18 (11) \$6,000 of the state patrol highway account—state is provided
19 solely for the implementation of chapter . . . (Engrossed Second
20 Substitute House Bill No. 1541), Laws of 2023 (lived experience). If
21 chapter . . . (Engrossed Second Substitute House Bill No. 1541), Laws
22 of 2023 is not enacted by June 30, 2023, the amount provided in this
23 subsection lapses.

24 (12) \$76,000 of the state patrol highway account—state is
25 provided solely for the implementation of chapter . . . (House Bill
26 No. 1112), Laws of 2023 (negligent driving). If chapter . . . (House
27 Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023, the
28 amount provided in this subsection lapses.

29 (13) By December 1, 2024, the Washington state patrol must
30 provide a report to the governor and appropriate committees of the
31 legislature on the status of *McClain v. Washington State Patrol* and
32 an update on legal expenses associated with the case.

33 **NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING**

34	Driver Licensing Technology Support Account—State	
35	Appropriation.	\$1,743,000
36	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
37	Motorcycle Safety Education Account—State	
38	Appropriation.	\$5,275,000

1	Limited Fish and Wildlife Account—State	
2	Appropriation.	\$757,000
3	Highway Safety Account—State Appropriation.	\$268,134,000
4	Highway Safety Account—Federal Appropriation.	\$2,371,000
5	Motor Vehicle Account—State Appropriation.	\$95,241,000
6	Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
7	Ignition Interlock Device Revolving Account—State	
8	Appropriation.	\$6,381,000
9	Department of Licensing Services Account—State	
10	Appropriation.	\$8,651,000
11	License Plate Technology Account—State	
12	Appropriation.	\$4,147,000
13	Abandoned Recreational Vehicle Disposal Account—State	
14	Appropriation.	\$3,090,000
15	Limousine Carriers Account—State Appropriation.	\$126,000
16	Electric Vehicle Account—State Appropriation.	\$442,000
17	DOL Technology Improvement & Data Management	
18	Account—State Appropriation.	\$944,000
19	Agency Financial Transaction Account—State	
20	Appropriation.	\$16,998,000
21	Move Ahead WA Flexible Account—State Appropriation.	\$2,096,000
22	TOTAL APPROPRIATION.	\$417,766,000

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

25 (1) \$1,100,000 of the highway safety account—state appropriation
26 and \$1,100,000 of the move ahead WA flexible account—state
27 appropriation are provided solely for the department to provide an
28 interagency transfer to the department of children, youth, and
29 families for the purpose of providing driver's license support. In
30 addition to support services required under RCW 74.13.338(2), support
31 services may include reimbursement of:

32 (a) The cost for a youth in foster care of any eligible age to
33 complete a driver training education course, as outlined in chapter
34 46.82 or 28A.220 RCW;

35 (b) The costs incurred by foster youth in foster care for a motor
36 vehicle insurance policy;

37 (c) The costs of roadside assistance, motor vehicle insurance
38 deductibles, motor vehicle registration fees, towing services, car
39 maintenance, comprehensive car insurance, and gas cards; and

1 (d) Any other costs related to obtaining a driver's license and
2 driving legally and safely.

3 (2) For the 2023-2025 biennium, the department shall charge
4 \$1,336,000 for the administration and collection of a motor vehicle
5 excise tax on behalf of a regional transit authority, as authorized
6 under RCW 82.44.135. The amount in this subsection must be deducted
7 before distributing any revenues to a regional transit authority.

8 (3) \$16,000 of the motorcycle safety education account—state
9 appropriation, \$2,000 of the limited fish and wildlife account—state
10 appropriation, \$947,000 of the highway safety account—state
11 appropriation, \$308,000 of the motor vehicle account—state
12 appropriation, \$14,000 of the ignition interlock device revolving
13 account—state appropriation, and \$14,000 of the department of
14 licensing services account—state appropriation are provided solely
15 for the department to redesign and improve its online services and
16 website, and are subject to the conditions, limitations, and review
17 requirements in section 701 of this act.

18 (4) (a) \$36,000 of the motor vehicle account—state appropriation
19 is provided solely for the issuance of nonemergency medical
20 transportation vehicle decals to implement the high occupancy vehicle
21 lane access pilot program established in section 217(2) of this act.
22 A for hire nonemergency medical transportation vehicle is a vehicle
23 that is a "for hire vehicle" under RCW 46.04.190 that provides
24 nonemergency medical transportation, including for life-sustaining
25 transportation purposes, to meet the medical transportation needs of
26 individuals traveling to medical practices and clinics, cancer
27 centers, dialysis facilities, hospitals, and other care providers.

28 (b) As part of this pilot program, the owner of a for hire
29 nonemergency medical transportation vehicle may apply to the
30 department, county auditor or other agent, or subagent appointed by
31 the director, for a high occupancy vehicle exempt decal for a for
32 hire nonemergency medical transportation vehicle. The high occupancy
33 vehicle exempt decal allows the for hire nonemergency medical
34 transportation vehicle to use a high occupancy vehicle lane as
35 specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal
36 biennium.

37 (c) For the exemption in this subsection to apply to a for hire
38 nonemergency medical transportation vehicle, the decal:

1 (i) Must be displayed on the vehicle so that it is clearly
2 visible from outside the vehicle;

3 (ii) Must identify that the vehicle is exempt from the high
4 occupancy vehicle requirements; and

5 (iii) Must be visible from the rear of the vehicle.

6 (d) The owner of a for hire nonemergency medical transportation
7 vehicle or the owner's representative must apply for a high occupancy
8 vehicle exempt decal on a form provided or approved by the
9 department. The application must include:

10 (i) The name and address of the person who is the owner of the
11 vehicle;

12 (ii) A full description of the vehicle, including its make,
13 model, year, and the vehicle identification number;

14 (iii) The purpose for which the vehicle is principally used;

15 (iv) An attestation signed by the vehicle's owner or the owner's
16 representative that the vehicle's owner has a minimum of one contract
17 or service agreement to provide for hire transportation services for
18 medical purposes with one or more of the following entities: A health
19 insurance company; a hospital, clinic, dialysis center, or other
20 medical institution; a day care center, retirement home, or group
21 home; a federal, state, or local agency or jurisdiction; or a broker
22 who negotiates these services on behalf of one or more of these
23 entities; and

24 (v) Other information as required by the department upon
25 application.

26 (e) The department, county auditor or other agent, or subagent
27 appointed by the director shall collect the fee required under (f) of
28 this subsection when issuing or renewing a high occupancy vehicle
29 exempt decal.

30 (f) The department, county auditor or other agent, or subagent,
31 is required to collect a \$5 fee when issuing or renewing a decal
32 under this subsection, in addition to any other fees and taxes
33 required by law.

34 (g) A high occupancy vehicle exempt decal expires June 30, 2025,
35 and must be marked to indicate its expiration date. The decal may be
36 renewed if the pilot program is continued past the date of a decal's
37 expiration. The status as an exempt vehicle continues until the high
38 occupancy vehicle exempt decal is suspended or revoked for misuse,
39 the vehicle is no longer used as a for hire nonemergency medical

1 transportation vehicle, or the pilot program established in section
2 217(2) of this act is terminated.

3 (h) The department may adopt rules to implement this subsection.

4 (5) \$1,350,000 of the highway safety account—state appropriation
5 is provided solely for driver's license assistance and support
6 services in King county with an existing provider that is already
7 providing these services to low-income immigrant and refugee women.
8 By March 1st, of each year, the contracted provider must submit
9 information on the annual budget in the preceding year; information
10 regarding private and other governmental support for the activities
11 of the provider; and a description of the number of people served,
12 services delivered, and outcome measures.

13 (6) \$243,000 of the highway safety account—state appropriation is
14 provided solely for the department to: (a) Provide each driver's
15 license, identicard, instruction permit, intermediate license, and
16 commercial driver's license applicant with written materials
17 regarding the contents and requirements of RCW 46.61.212, the slow
18 down and move over law, at the completion of the applicant's
19 licensing transaction; (b) place signage in each of the licensing
20 service offices that provide background on the written materials that
21 the applicant will receive regarding the slow down and move over law;
22 and (c) initiate the development of an appropriate training module
23 relating to the requirements of RCW 46.61.212, for inclusion in all
24 new driver training curricula.

25 (7) \$116,000 of the highway safety account—state appropriation is
26 provided solely for the implementation of chapter . . . (House Bill
27 No. 1058), Laws of 2023 (commercial driver's licenses) or
28 chapter . . . (Senate Bill No. 5251), Laws of 2023 (commercial
29 driver's licenses). If neither chapter . . . (House Bill No. 1058),
30 Laws of 2023 nor chapter . . . (Senate Bill No. 5251), Laws of 2023
31 is enacted by June 30, 2023, the amount provided in this subsection
32 lapses.

33 (8) \$262,000 of the highway safety account—state appropriation is
34 provided solely for the implementation of chapter . . . (Substitute
35 House Bill No. 1104), Laws of 2023 (deferred prosecutions). If
36 chapter . . . (Substitute House Bill No. 1104), Laws of 2023 is not
37 enacted by June 30, 2023, the amount provided in this subsection
38 lapses.

1 (9) \$8,000 of the motorcycle safety education account—state
2 appropriation is provided solely for the implementation of
3 chapter . . . (Substitute House Bill No. 1171), Laws of 2023
4 (motorcycle safety board). If chapter . . . (Substitute House Bill
5 No. 1171), Laws of 2023 is not enacted by June 30, 2023, the amount
6 provided in this subsection lapses.

7 (10) \$168,000 of the motor vehicle account—state appropriation is
8 provided solely for the implementation of chapter . . . (Engrossed
9 Substitute House Bill No. 1736), Laws of 2023 (vehicle odometer
10 readings). If chapter . . . (Engrossed Substitute House Bill No.
11 1736), Laws of 2023 is not enacted by June 30, 2023, the amount
12 provided in this subsection lapses.

13 (11) \$282,000 of the highway safety account—state appropriation
14 is provided solely for the implementation of chapter . . . (House
15 Bill No. 1112), Laws of 2023 (negligent driving). If chapter . . .
16 (House Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023,
17 the amount provided in this subsection lapses.

18 (12) \$173,000 of the highway safety account—state appropriation
19 is provided solely for the implementation of chapter . . .
20 (Substitute House Bill No. 1493), Laws of 2023 (impaired driving). If
21 chapter . . . (Substitute House Bill No. 1493), Laws of 2023 is not
22 enacted by June 30, 2023, the amount provided in this subsection
23 lapses.

24 (13) \$1,077,000 of the highway safety account—federal
25 appropriation is provided solely for the implementation of either
26 chapter . . . (House Bill No. 1448), Laws of 2023 (motor carrier
27 safety) or chapter . . . (Senate Bill No. 5041), Laws of 2023 (motor
28 carrier safety). If neither chapter . . . (House Bill No. 1448), Laws
29 of 2023 nor chapter . . . (Senate Bill No. 5041), Laws of 2023 is
30 enacted by June 30, 2023, the amount provided in this subsection
31 lapses.

32 (14) \$29,000 of the motor vehicle account—state appropriation is
33 provided solely for the implementation of either chapter . . .
34 (Substitute House Bill No. 1829), Laws of 2023 (LeMay special license
35 plate) or chapter . . . (Substitute Senate Bill No. 5738), Laws of
36 2023 (LeMay special license plate). If neither chapter . . .
37 (Substitute House Bill No. 1829), Laws of 2023 nor chapter . . .
38 (Substitute Senate Bill No. 5738), Laws of 2023 is enacted by June
39 30, 2023, the amount provided in this subsection lapses.

1 (15) \$29,000 of the motor vehicle account—state appropriation is
2 provided solely for the implementation of either chapter . . . (House
3 Bill No. 1489), Laws of 2023 (Mt. St. Helens special license plate)
4 or chapter . . . (Substitute Senate Bill No. 5590), Laws of 2023 (Mt.
5 St. Helens special license plate). If neither chapter . . .
6 (Substitute House Bill No. 1489), Laws of 2023 nor chapter . . .
7 (Substitute Senate Bill No. 5590), Laws of 2023 is enacted by June
8 30, 2023, the amount provided in this subsection lapses.

9 (16) (a) \$265,000 of the highway safety account—state
10 appropriation is provided solely for the department to provide an
11 interagency transfer to the Washington center for deaf and hard of
12 hearing youth, in consultation with the department and the office of
13 the superintendent of public instruction, to fund the cost of
14 interpreters for driver training education for deaf and hard or
15 hearing youth to enable them to access driver training education at
16 the same cost as their peers, and to pilot a sustainable driver
17 training education program to determine how best to meet the driver
18 training education needs of deaf and hard of hearing youth in the
19 state in the future. The pilot must include:

20 (i) Determination of an appropriate number of instructors and an
21 appropriate method of certification for instructors who are fluent in
22 American Sign Language (ASL);

23 (ii) Determination of how best to provide driver training
24 education statewide to deaf and hard of hearing novice drivers;

25 (iii) Development of a program to offer the required curriculum
26 under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

27 (iv) Capped course instruction costs for deaf and hard of hearing
28 students at the average rate of their hearing peers.

29 (b) The department shall submit a report to the transportation
30 committees of the legislature developed by the Washington center for
31 deaf and hard of hearing youth by March 1, 2024, that provides
32 recommendations for a permanent program to make driver education
33 equitably accessible for deaf and hard of hearing students.

34 (17) \$350,000 of the highway safety account—state appropriation
35 is provided solely for the department to improve the process for
36 commercial driver license holders to submit medical certification
37 documents and update self-certification status to the department. The
38 department shall:

1 (a) Update license express to improve the process and make it
2 more user friendly;

3 (b) Add options for the driver to renew or replace the driver's
4 CDL credentials as part of the medical or self-certification process;

5 (c) Add a customer verification step confirming the requested
6 changes and clearly stating how this change will impact the driver's
7 CDL; and

8 (d) Add improved messaging throughout the process.

9 In addition, the department shall make available on the abstract
10 of driving record a complete medical certificate downgrade history,
11 and provide a one-time mailing to all current CDL holders explaining
12 the process to update their medical certificate documents and self-
13 certification.

14 (18) The appropriations in this section assume adequate funding
15 for licensing service office operations given continued
16 implementation by the department of efficiency measures that reduce
17 the time for licensing transactions and wait times and reflect the
18 ongoing shift to alternative licensing channels due to statutory and
19 policy changes made during the pandemic along with the delay of the
20 federal Real ID program. The department shall report on licensing
21 service office workload on a quarterly basis. The report must include
22 detailed statewide and by licensing service office information on
23 staffing levels, average monthly wait times, the number of enhanced
24 drivers' licenses and enhanced identicards issued/renewed, and the
25 number of primary drivers' licenses and identicards issued/renewed.

26 (19) \$228,000 of the highway safety account—state appropriation
27 is provided for the increased costs from leases, parking, and other
28 services associated with licensing service offices relocating during
29 the 2023-2025 fiscal biennium.

30 (20) \$2,790,000 of the highway safety account—state appropriation
31 is provided for the one-time costs to relocate licensing service
32 offices during the 2023-2025 fiscal biennium.

33 (21) \$1,962,000 of the highway safety account—state appropriation
34 is provided solely for the establishment of a pilot mobile licensing
35 unit to provide licensing and identicard services. By December 1,
36 2024, the department must submit a report to the governor and the
37 transportation committees of the legislature detailing the locations
38 served, the number and type of documents issued, and other outcome
39 measures associated with the mobile licensing unit. The report shall

1 include consideration of the facility needs of licensing service
2 offices in the context of flexible mobile licensing services.

3 (22) \$4,860,000 of the motor vehicle account—state appropriation
4 is provided solely for the department to upgrade and improve its
5 prorate and fuel tax system and is subject to the conditions,
6 limitations, and review requirements of section 701 of this act.

7 (23) (a) \$150,000 of the motor vehicle account—state appropriation
8 is provided solely for the department, in consultation with the
9 Washington state transportation commission, to conduct a study on the
10 feasibility of implementing and administering a per-mile fee program.

11 The study must:

12 (i) Identify the technical investment required to implement a
13 per-mile program within existing technology platforms;

14 (ii) Identify the staffing and resources needed to administer the
15 program, including any additional resources to support the vehicle
16 licensing offices;

17 (iii) Identify any costs associated with a social media and
18 awareness campaign;

19 (iv) Research third-party vendor options for offering customers
20 different mileage reporting methods or for outsourcing certain
21 aspects of administering the program; and

22 (v) Review use cases and adoption rates in other states,
23 including successes and lessons learned.

24 (b) A report of the study findings is due to the transportation
25 committees of the legislature and the governor by December 31, 2023.

26 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
27 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

28	State Route Number 520 Corridor Account—State	
29	Appropriation.	\$58,845,000
30	State Route Number 520 Civil Penalties Account—State	
31	Appropriation.	\$4,178,000
32	Tacoma Narrows Toll Bridge Account—State	
33	Appropriation.	\$30,723,000
34	Alaskan Way Viaduct Replacement Project Account—	
35	State Appropriation.	\$20,693,000
36	Interstate 405 and State Route Number 167 Express	
37	Toll Lanes Account—State Appropriation.	\$23,751,000
38	TOTAL APPROPRIATION.	\$138,190,000

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

3 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
4 appropriation and \$12,484,000 of the state route number 520 corridor
5 account—state appropriation are provided solely for the purposes of
6 addressing unforeseen operations and maintenance costs on the Tacoma
7 Narrows bridge and the state route number 520 bridge, respectively.
8 The office of financial management shall place the amounts provided
9 in this subsection, which represent a portion of the required minimum
10 fund balance under the policy of the state treasurer, in unallotted
11 status. The office may release the funds only when it determines that
12 all other funds designated for operations and maintenance purposes
13 have been exhausted.

14 (2) As long as the facility is tolled, the department must
15 provide annual reports to the transportation committees of the
16 legislature on the Interstate 405 express toll lane project
17 performance measures listed in RCW 47.56.880(4). These reports must
18 include:

19 (a) Information on the travel times and travel time reliability
20 (at a minimum, average and 90th percentile travel times) maintained
21 during peak and nonpeak periods in the express toll lanes and general
22 purpose lanes for both the entire corridor and commonly made trips in
23 the corridor including, but not limited to, northbound from Bellevue
24 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
25 state route number 522, Bellevue to Bothell (both NE 8th to state
26 route number 522 and NE 8th to state route number 527), and a trip
27 internal to the corridor (such as NE 85th to NE 160th) and similar
28 southbound trips; and

29 (b) Underlying congestion measurements, that is, speeds, that are
30 being used to generate the summary graphs provided, to be made
31 available in a digital file format.

32 (3) (a) \$314,000 of the Interstate 405 and state route number 167
33 express toll lanes account—state appropriation, \$734,000 of the state
34 route number 520 corridor account—state appropriation, \$315,000 of
35 the Tacoma Narrows toll bridge account—state appropriation, and
36 \$413,000 of the Alaskan Way viaduct replacement project account—state
37 appropriation are provided solely for the reappropriation of unspent
38 funds on the new tolling back office system from the 2021-2023
39 biennium.

1 (b) The office of financial management shall place the amounts
2 provided in this subsection in unallotted status until the department
3 submits a detailed progress report on the progress of the new tolling
4 back office system. The director of the office of financial
5 management or their designee shall consult with the chairs and
6 ranking members of the transportation committees of the legislature
7 prior to making a decision to allot these funds.

8 (4) The department shall make detailed annual reports to the
9 transportation committees of the legislature and the public on the
10 department's website on the following:

11 (a) The use of consultants in the tolling program, including the
12 name of the contractor, the scope of work, the type of contract,
13 timelines, deliverables, any new task orders, and any extensions to
14 existing consultant contracts;

15 (b) The nonvendor costs of administering toll operations,
16 including the costs of staffing the division, consultants, and other
17 personal service contracts required for technical oversight and
18 management assistance, insurance, payments related to credit card
19 processing, transponder purchases and inventory management, facility
20 operations and maintenance, and other miscellaneous nonvendor costs;

21 (c) The vendor-related costs of operating tolled facilities,
22 including the costs of the customer service center, cash collections
23 on the Tacoma Narrows bridge, electronic payment processing, and toll
24 collection equipment maintenance, renewal, and replacement;

25 (d) The toll adjudication process, including a summary table for
26 each toll facility that includes:

27 (i) The number of notices of civil penalty issued;

28 (ii) The number of recipients who pay before the notice becomes a
29 penalty;

30 (iii) The number of recipients who request a hearing and the
31 number who do not respond;

32 (iv) Workload costs related to hearings;

33 (v) The cost and effectiveness of debt collection activities; and

34 (vi) Revenues generated from notices of civil penalty; and

35 (e) A summary of toll revenue by facility on all operating toll
36 facilities and express toll lane systems, and an itemized depiction
37 of the use of that revenue.

38 (5) \$2,584,000 of the state route number 520 corridor account—
39 state appropriation and \$432,000 of the Tacoma Narrows toll bridge
40 account—state appropriation are provided solely for the increased

1 costs of insurance for the state route number 520 floating bridge and
2 the Tacoma Narrows bridge, respectively.

3 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **INFORMATION TECHNOLOGY—PROGRAM C**

5	Transportation Partnership Account—State	
6	Appropriation.	\$1,494,000
7	Motor Vehicle Account—State Appropriation.	\$125,559,000
8	Puget Sound Ferry Operations Account—State	
9	Appropriation.	\$307,000
10	Multimodal Transportation Account—State	
11	Appropriation.	\$2,986,000
12	Transportation 2003 Account (Nickel Account)—State	
13	Appropriation.	\$1,488,000
14	TOTAL APPROPRIATION.	\$131,834,000

15 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—**
17 **OPERATING**

18	Motor Vehicle Account—State Appropriation.	\$41,356,000
19	Move Ahead WA Account—State Appropriation.	\$2,532,000
20	Multimodal Transportation Account—State	
21	Appropriation.	\$1,200,000
22	State Route Number 520 Corridor Account—State	
23	Appropriation.	\$34,000
24	TOTAL APPROPRIATION.	\$45,122,000

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$1,200,000 of the multimodal
27 transportation account—state appropriation is provided solely for the
28 department to evaluate safety rest areas along I-5 and I-90 for
29 potential truck parking expansion opportunities. The department shall
30 also evaluate commercial vehicle inspection locations, in
31 coordination with the Washington state patrol, for potential truck
32 parking expansion opportunities. These evaluations must include
33 assessments of opportunities to provide additional truck parking
34 through rest stop and inspection location reconfiguration, expansion,
35 and conversion. The department shall consider opportunities to expand
36 rest stop footprints onto additional department-owned property, as
37 well as opportunities to acquire property for rest stop expansion.

1 Opportunities to convert a rest stop to a commercial vehicle-only
2 rest stop must be considered if property is available to develop a
3 new light-duty vehicle rest stop within a reasonable distance.
4 Evaluations must include cost estimates for reconfiguration,
5 expansion, and conversion. The department should consult with the
6 federal highway administration, the Washington state patrol, the
7 Washington trucking association, the freight mobility strategic
8 investment board, and local communities. The department is required
9 to update the transportation committees of the legislature on agency
10 activities and their status by December 1, 2023, and to provide a
11 final report to the transportation committees of the legislature by
12 December 1, 2024.

13 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
14 **TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

15 Move Ahead WA Account—State Appropriation. \$27,930,000

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

18 (1) \$21,599,000 of the move ahead WA account—state appropriation
19 is provided solely for the purchase, maintenance, repair,
20 replacement, and disposal of vehicles and equipment.

21 (2) \$6,331,000 of the move ahead WA account—state appropriation
22 is provided solely to replace fuel sites. In doing so, the department
23 shall prioritize the replacement of sites which present the greatest
24 risk of failure and environmental contamination. The department shall
25 submit a report to the legislature by December 1, 2023, on fuel site
26 replacement efforts. The report shall include:

27 (a) A list of department owned and managed fuel sites prioritized
28 by urgency of replacement;

29 (b) A discussion of department practices that would create a
30 sustained revenue source for capital repair and replacement of fuel
31 sites; and

32 (c) A discussion of to what extent the fuel site infrastructure
33 can support zero emissions vehicles.

34 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
35 **AVIATION—PROGRAM F**

36 Aeronautics Account—State Appropriation. \$12,722,000

37 Aeronautics Account—Federal Appropriation. \$3,650,000

1	Aeronautics Account—Private/Local Appropriation.	\$60,000
2	Carbon Emissions Reduction Account—State	
3	Appropriation.	\$1,476,000
4	Multimodal Transportation Account—State	
5	Appropriation.	\$400,000
6	TOTAL APPROPRIATION.	\$18,308,000

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

9 (1) \$1,931,000 of the aeronautics account—state appropriation is
10 provided solely for the implementation of chapter . . . (Engrossed
11 Substitute House Bill No. 1791), Laws of 2023 (commercial aviation
12 services). If chapter . . . (Engrossed Substitute House Bill No.
13 1791), Laws of 2023 is not enacted by June 30, 2023, the amount
14 provided in this subsection lapses.

15 (2) \$324,000 of the aeronautics account—state appropriation is
16 provided solely for the implementation of chapter . . . (Engrossed
17 Substitute House Bill No. 1554), Laws of 2023 (lead impacts). If
18 chapter . . . (Engrossed Substitute House Bill No. 1554), Laws of
19 2023 is not enacted by June 30, 2023, the amount provided in this
20 subsection lapses.

21 (3) \$1,476,000 of the carbon emissions reduction account—state
22 appropriation is provided solely for sustainable aviation grants
23 recommended by the department under the sustainable aviation grants
24 program. The department shall submit a report to the transportation
25 committees of the legislature by October 1, 2024, identifying a
26 selection of sustainable aviation projects for funding by the
27 legislature. In considering projects to recommend to fund, the
28 department shall only consider projects that advance the state of
29 sustainable aviation technology and lead to future innovation.
30 Innovative sustainable aviation projects may include, but are not
31 limited to, pilot projects demonstrating the usage of:

- 32 (a) Mobile battery charging technology;
- 33 (b) Hydrogen electrolyzers and storage;
- 34 (c) electric ground equipment; and
- 35 (d) Hanger charging technology.

36 (4) \$2,000,000 of the aeronautics account—state appropriation is
37 provided solely for move ahead WA aviation grants. In administering
38 these grants, the department shall prioritize projects eligible for
39 federal funding.

1 (5) \$2,800,000 of the aeronautics account—state appropriation is
2 provided solely for the airport aid grant program, which provides
3 competitive grants to public use airports for pavement, safety,
4 maintenance, planning, and security.

5 (6) \$300,000 of the aeronautics account—state appropriation is
6 provided solely for the department to develop a statewide advanced
7 air mobility aircraft plan to develop and integrate advanced air
8 mobility aircraft into current modal systems. The department shall
9 submit a report by June 1, 2025, to the office of financial
10 management and the transportation committees of the legislature
11 including, but not limited to, the following information:

12 (a) Near, medium, and long-term recommendations for land use
13 planning for advanced and urban air mobility vertiports and
14 vertistops;

15 (b) An inventory of infrastructure needs to support a statewide
16 vertiport network and a recommended program to deploy funds to local
17 governments to share costs;

18 (c) Proposed state governance structures and regulatory
19 mechanisms to adequately complement federal aviation administration
20 oversight;

21 (d) Recommended policies to foster vertiport and vertistop
22 infrastructure development that ensure open public access, efficiency
23 in land use siting, and equitable distribution across the state; and

24 (e) In consultation with local jurisdictions, planning
25 organizations and other modal managers, make recommendations on
26 advanced air mobility aircraft integration into statewide
27 transportation plans.

28 (7) \$400,000 of the multimodal transportation account—state
29 appropriation is reappropriated and provided solely for planning for
30 improvements to Bowerman airport in Hoquiam, Washington.

31 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

33	Motor Vehicle Account—State Appropriation.	\$68,006,000
34	Motor Vehicle Account—Federal Appropriation.	\$500,000
35	Multimodal Transportation Account—State	
36	Appropriation.	\$758,000
37	Natural Climate Solutions Account—State	
38	Appropriation.	\$93,000

1 TOTAL APPROPRIATION. \$69,357,000

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

4 (1) During the 2023-2025 biennium, if the department takes
5 possession of the property situated in the city of Edmonds for which
6 a purchase agreement was executed between Unocal and the department
7 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
8 confirms that the property is still no longer needed for
9 transportation purposes, the department shall provide the city of
10 Edmonds with the first right of purchase at fair market value in
11 accordance with RCW 47.12.063(3) for the city's intended use of the
12 property to rehabilitate near-shore habitat for salmon and related
13 species.

14 (2) \$410,000 of the motor vehicle account—state appropriation is
15 reappropriated and provided solely for the implementation of chapter
16 217, Laws of 2021 (noxious weeds).

17 (3) (a) The department shall offer to sell, convey, or lease the
18 northern parcel of site 14 on the Puget Sound Gateway Program SR 509
19 Completion Project Surplus Property list, located immediately south
20 of S. 216th Street and adjacent to the Barnes Creek Nature in Des
21 Moines, to Seattle Goodwill Industries, a nonprofit organization with
22 tax ID 91-05688708, located at 700 Dearborn Place S, Seattle, WA
23 98144, in accordance with RCW 47.12.063 at less than its fair market
24 value or market lease rate to the extent the department finds it is
25 in the public interest to do so because the public benefit that will
26 result from Goodwill's redevelopment of the property it owns at
27 Rainier Ave South and South Dearborn Street to increase the supply of
28 affordable housing would not otherwise be adequately compensated.

29 (b) A portion of the transfer from the multimodal account to the
30 motor vehicle fund reimburses the motor vehicle fund for any impact
31 to the motor vehicle fund that results from the property sale,
32 conveyance, or lease authorized in this subsection that could be
33 construed as violative of the requirements of the 18th amendment of
34 the state Constitution. This reimbursement to the motor vehicle fund
35 is intended to address any possibility that the sale, conveyance, or
36 lease authorized in this subsection could be determined to result in
37 the unconstitutional use of 18th amendment designated funds for
38 nonhighway purposes under the state Constitution; however, this
39 transfer is not intended to indicate that the sale, conveyance, or

1 lease authorized in this subsection necessarily requires such
2 reimbursement under the state Constitution.

3 (4) \$93,000 of the natural climate solutions account—state
4 appropriation is provided solely for the implementation of
5 chapter . . . (Engrossed Second Substitute House Bill No. 1170), Laws
6 of 2023 (climate resiliency strategy). If chapter . . . (Engrossed
7 Second Substitute House Bill No. 1170), Laws of 2023, is not enacted
8 by June 30, 2023, the amount provided in this subsection lapses.

9 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

11	Carbon Emissions Reduction Account—State	
12	Appropriation.	\$209,500,000
13	Motor Vehicle Account—State Appropriation.	\$732,000
14	Electric Vehicle Account—State Appropriation.	\$4,946,000
15	Multimodal Transportation Account—State	
16	Appropriation.	\$2,500,000
17	Multimodal Transportation Account—Federal	
18	Appropriation.	\$25,000,000
19	TOTAL APPROPRIATION.	\$242,678,000

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

22 (1) The public-private partnerships program must continue to
23 explore retail partnerships at state-owned park and ride facilities,
24 as authorized in RCW 47.04.295.

25 (2) \$3,746,000 of the electric vehicle account—state
26 appropriation and \$35,900,000 of the carbon reduction emissions
27 account—state appropriation are provided solely for the clean
28 alternative fuel vehicle charging and refueling infrastructure
29 program in chapter 287, Laws of 2019 (advancing green transportation
30 adoption).

31 (3) \$1,200,000 of the multimodal transportation account—state
32 appropriation and \$3,000,000 of the carbon reduction emissions
33 account—state appropriation are provided solely for the pilot program
34 established under chapter 287, Laws of 2019 (advancing green
35 transportation adoption) to provide clean alternative fuel vehicle
36 use opportunities to underserved communities and low to moderate
37 income members of the workforce not readily served by transit or
38 located in transportation corridors with emissions that exceed

1 federal or state emissions standards. Consistent with the
2 geographical diversity element described in RCW 47.04.355(4), the
3 legislature strongly encourages the department to consider
4 implementing the pilot in both urban and rural communities if
5 possible, to obtain valuable information on the needs of underserved
6 communities located in different geographical locations in
7 Washington.

8 (4) \$1,000,000 of the electric vehicle account—state
9 appropriation and \$500,000 of the multimodal transportation account—
10 state appropriation are provided solely for a colocated DC fast
11 charging and hydrogen fueling station near the Wenatchee or East
12 Wenatchee area near a state route or near or on a publicly owned
13 facility to service passenger, light-duty and heavy-duty vehicles.
14 The hydrogen fueling station must include a DC fast charging station
15 colocated at the hydrogen fueling station site. Funds may be used for
16 one or more fuel cell electric vehicles that would utilize the
17 fueling stations. The department must contract with a public utility
18 district that produces hydrogen in the area to own and/or manage and
19 provide technical assistance for the design, planning, permitting,
20 construction, maintenance and operation of the hydrogen fueling
21 station. The department and public utility district are encouraged to
22 collaborate with and seek contributions from additional public and
23 private partners for the fueling station.

24 (5) \$25,000,000 of the multimodal transportation account—federal
25 appropriation and \$200,000 of the electric vehicle account—state
26 appropriation are provided solely to implement and administer the
27 national electric vehicle program, established in the federal
28 infrastructure investment and jobs act (P.L. 117-58), as directed by
29 the interagency electric vehicle coordinating council created in
30 chapter 182, Laws of 2022.

31 (6) \$800,000 of the multimodal transportation account—state
32 appropriation is provided solely for the department to coordinate
33 with cities, counties, ports, and private entities to develop
34 recommendations for state assistance in the development of specific
35 candidate truck parking sites to be developed with amenities,
36 identified by location. The public benefit of each potential truck
37 parking site must be included in this assessment. The department
38 shall consider opportunities for the state to provide assistance in
39 the development of truck parking sites, including possible

1 opportunities to provide assistance in land acquisition and
2 evaluating land use requirements. The department is required to
3 update the transportation committees of the legislature on agency
4 activities and their status by December 1, 2023, and to provide a
5 final report to the transportation committees of the legislature by
6 December 1, 2024.

7 (7) \$149,900,000 of the carbon emissions reduction account—state
8 appropriation is provided solely for implementation of zero-emission
9 commercial vehicle infrastructure and incentive programs. The office
10 of financial management shall place the amounts provided in this
11 subsection in unallotted status until the joint transportation
12 committee completes the medium and heavy duty vehicle infrastructure
13 and incentive strategy required under section 204 of this act. The
14 director of the office of financial management or their designee
15 shall consult with the chairs and ranking members of the
16 transportation committees of the legislature prior to making a
17 decision to allot these funds.

18 (8) \$15,600,000 of the carbon emissions reduction account—state
19 appropriation is provided solely for the replacement of school buses
20 powered by fossil fuels with zero emissions school buses, including
21 the purchase and installation of zero emissions school bus refueling
22 infrastructure. The office of financial management shall place the
23 amounts provided in this subsection in unallotted status until the
24 joint transportation committee completes the medium and heavy duty
25 vehicle infrastructure and incentive strategy required under section
26 204 of this act. The director of the office of financial management
27 or the director's designee shall consult with the chairs and ranking
28 members of the transportation committees of the legislature prior to
29 making a decision to allot these funds.

30 (9) \$3,000,000 of the carbon emissions reduction account—state
31 appropriation is provided solely for hydrogen refueling
32 infrastructure investments. The office of financial management shall
33 place the amounts provided in this subsection in unallotted status
34 until the joint transportation committee completes the medium and
35 heavy duty vehicle infrastructure and incentive strategy required
36 under section 204 of this act. The director of the office of
37 financial management or the director's designee shall consult with
38 the chairs and ranking members of the transportation committees of
39 the legislature prior to making a decision to allot these funds.

1 (10) \$2,100,000 of the carbon emissions reduction account—state
2 appropriation is provided solely to fund electric vehicle charging
3 infrastructure for the electric charging megasite project at Mount
4 Vernon library commons.

5 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**
6 **HIGHWAY MAINTENANCE—PROGRAM M**

7	Motor Vehicle Account—State Appropriation.	\$572,436,000
8	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
9	Move Ahead WA Account—State Appropriation.	\$46,234,000
10	State Route Number 520 Corridor Account—State	
11	Appropriation.	\$4,838,000
12	Tacoma Narrows Toll Bridge Account—State	
13	Appropriation.	\$1,585,000
14	Alaskan Way Viaduct Replacement Project Account—	
15	State Appropriation.	\$8,752,000
16	Interstate 405 and State Route Number 167 Express	
17	Toll Lanes Account—State Appropriation.	\$2,624,000
18	Waste Tire Removal Account—State Appropriation.	\$5,000,000
19	TOTAL APPROPRIATION.	\$648,469,000

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

22 (1) \$7,529,000 of the motor vehicle account—state appropriation
23 is provided solely for utility fees assessed by local governments as
24 authorized under RCW 90.03.525 for the mitigation of stormwater
25 runoff from state highways.

26 (2) \$5,000,000 of the motor vehicle account—state appropriation
27 is provided solely for a contingency pool for snow and ice removal.
28 The department must notify the office of financial management and the
29 transportation committees of the legislature when they have spent the
30 base budget for snow and ice removal and will begin using the
31 contingency pool funding.

32 (3) \$610,000 of the motor vehicle account—state appropriation is
33 provided solely for reimbursing the Oregon department of
34 transportation (ODOT) for the department's share of increased
35 maintenance costs of six highway bridges over the Columbia River that
36 are maintained by ODOT.

37 (4) \$82,000 of motor vehicle account—state appropriation is
38 provided solely for the implementation of chapter . . . (Senate Bill

1 No. 5487), Laws of 2023 (parking at rest areas). If chapter . . .
2 (Senate Bill No. 5487), Laws of 2023 is not enacted by June 30, 2023,
3 the amount provided in this subsection lapses.

4 (5) (a) \$115,000 of the state route number 520 corridor account—
5 state appropriation is provided solely for the department to enter
6 into a dispute resolution process with local jurisdictions to produce
7 interagency agreements to address the ongoing facility and landscape
8 maintenance of the three state route number 520 eastside lids and
9 surrounding areas at the Evergreen Point Road, 84th Avenue NE, and
10 92nd Avenue NE.

11 (b) The agreements pursuant to (a) of this subsection must be
12 executed by June 30, 2024.

13 (6) \$5,400,000 of the motor vehicle account—state appropriation
14 is reappropriated and provided solely for replacement of traffic
15 signs and increased visibility of road pavement markings. Investments
16 must replace traffic signs that do not meet the department's
17 standards or that are faded, lacking in reflectivity, cracked,
18 illegible, or damaged. Investments must also increase the visibility
19 of road pavement markings during periods of low light conditions and
20 during precipitation with pavement marking products that contain all-
21 weather optical reflectivity capability. The request for proposals
22 and subsequent competitive procurement for the signs shall be
23 performed following state specifications and standards.

24 (7) (a) \$2,000,000 of the motor vehicle account—state
25 appropriation and \$5,000,000 of the waste tire removal account—state
26 appropriation are provided solely for the department to address the
27 risks to safety and public health associated with homeless
28 encampments on department owned rights-of-way. The department must
29 coordinate and work with local government officials and social
30 service organizations who provide services and direct people to
31 housing alternatives that are not in highway rights-of-way to help
32 prevent future encampments from forming on highway rights-of-way, and
33 may reimburse the organizations doing this outreach assistance who
34 transition people into treatment or housing or for debris clean up on
35 highway rights-of-way. A minimum of \$2,000,000 of this appropriation
36 must be used to provide more frequent removal of litter on the
37 highway rights-of-way that is generated by unsheltered people and may
38 be used to hire crews specializing in collecting and disposing of
39 garbage, clearing debris or hazardous material, and implementing

1 safety improvements where hazards exist to the traveling public and
2 department employees. The department may use these funds to either
3 reimburse local law enforcement costs or the Washington state patrol
4 if they are providing enhanced safety to department staff during
5 debris cleanup or during efforts to prevent future encampments from
6 forming on highway rights-of-way.

7 (b) Beginning November 1, 2024, and semiannually thereafter, the
8 Washington state patrol and the department of transportation must
9 jointly submit a report to the governor and the transportation
10 committees of the legislature on the status of these efforts,
11 including:

12 (i) A detailed breakout of the size, location, risk level
13 categorization, and number of encampments on or near department-owned
14 rights-of-way, compared to the levels during the quarter being
15 reported;

16 (ii) A summary of the activities in that quarter related to
17 addressing these encampments, including information on arrangements
18 with local governments or other entities related to these activities;

19 (iii) A description of the planned activities in the ensuing
20 quarter to further address the emergency hazards and risks along
21 state highway rights-of-way; and

22 (iv) Recommendations for executive branch or legislative action
23 to achieve the desired outcome of reduced emergency hazards and risks
24 along state highway rights-of-way.

25 (8) \$1,025,000 of the motor vehicle account—state appropriation
26 is provided solely for the department to implement safety
27 improvements and debris clean up on department-owned rights-of-way in
28 the city of Seattle at levels above that being implemented as of
29 January 1, 2019, to be administered in conjunction with subsection
30 (7) of this section. The department must maintain a crew dedicated
31 solely to collecting and disposing of garbage, clearing debris or
32 hazardous material, and implementing safety improvements where
33 hazards exist to the traveling public, department employees, or
34 people encamped upon department-owned rights-of-way. The department
35 may request assistance from the Washington state patrol as necessary
36 in order for both agencies to provide enhanced safety-related
37 activities regarding the emergency hazards along state highway
38 rights-of-way in the Seattle area.

39 (9) \$1,015,000 of the motor vehicle account—state appropriation
40 is provided solely for a partnership program between the department

1 and the city of Tacoma, to be administered in conjunction with
2 subsection (7) of this section. The program shall address the safety
3 and public health problems created by homeless encampments on the
4 department's property along state highways within the city limits.
5 \$570,000 is for dedicated department maintenance staff and associated
6 clean-up costs. The department and the city of Tacoma shall enter
7 into a reimbursable agreement to cover up to \$445,000 of the city's
8 expenses for clean-up crews and landfill costs.

9 (10) \$1,015,000 of the motor vehicle account—state appropriation
10 is provided solely for a partnership program between the department
11 and the city of Spokane, to be administered in conjunction with
12 subsection (5) of this section. The program shall address the safety
13 and public health problems created by homeless encampments on the
14 department's property along state highways within the city limits.
15 \$570,000 is for dedicated department maintenance staff and associated
16 clean-up costs. The department and the city of Spokane shall enter
17 into a reimbursable agreement to cover up to \$445,000 of the city's
18 expenses for clean-up crews and landfill costs.

19 (11) (a) \$1,500,000 of the motor vehicle account—state
20 appropriation is reappropriated and provided solely for the
21 department to contract with the city of Fife to address the risks to
22 safety and public health associated with homeless encampments on
23 department-owned rights-of-way along the SR 167/SR 509 Puget Sound
24 Gateway project corridor in and adjacent to the city limits.

25 (b) The city must coordinate and work with the department and
26 local governments and social service organizations who provide
27 services and direct people to housing alternatives that are not in
28 highway rights-of-way to help prevent future encampments from forming
29 on highway rights-of-way. State funds may be used to reimburse the
30 organizations doing this outreach assistance who transition people
31 into treatment or housing that is not on the rights-of-way or for
32 debris clean up on highway rights-of-way.

33 (c) The department may hire crews specializing in collecting and
34 disposing of garbage, clearing debris or hazardous material, and
35 implementing safety improvements where hazards exist to the traveling
36 public and department employees.

37 (d) Funds may also be used to reimburse local law enforcement
38 costs or the Washington state patrol if they are participating as
39 part of a state or local government agreement to provide enhanced
40 safety related activities along state highway rights-of-way.

1 (e) It is the intent of the legislature that the city and
2 collaborating partners should place particular emphasis on utilizing
3 available funds for addressing large scale and multiple homeless
4 encampments that impact public safety and health. Funding for
5 initiatives associated with such encampments may include targeted
6 assistance to local governments and social service organizations,
7 directing moneys toward not only initial efforts to clear
8 encampments, clean up debris and restore sightlines, but to ongoing
9 work, monitoring, and maintenance of efforts to place individuals in
10 housing, treatment and services, and to better ensure individuals
11 experiencing homelessness receive needed assistance while sites
12 remain safe and secure for the traveling public.

13 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
14 **TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING**

15	Motor Vehicle Account—State Appropriation.	\$86,990,000
16	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
17	Motor Vehicle Account—Private/Local Appropriation.	\$294,000
18	Move Ahead WA Account—State Appropriation.	\$4,000,000
19	State Route Number 520 Corridor Account—State	
20	Appropriation.	\$175,000
21	Alaskan Way Viaduct Replacement Project Account—	
22	State Appropriation.	\$1,080,000
23	TOTAL APPROPRIATION.	\$94,589,000

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

26 (1) \$6,000,000 of the motor vehicle account—state appropriation
27 is provided solely for low-cost enhancements. The department shall
28 give priority to low-cost enhancement projects that improve safety or
29 provide congestion relief. By December 15th of each odd-numbered
30 year, the department shall provide a report to the legislature
31 listing all low-cost enhancement projects completed in the prior
32 fiscal biennium.

33 (2) (a) During the 2023-2025 fiscal biennium, the department shall
34 continue a pilot program that expands private transportation
35 providers' access to high occupancy vehicle lanes. Under the pilot
36 program, when the department reserves a portion of a highway based on
37 the number of passengers in a vehicle, the following vehicles must be
38 authorized to use the reserved portion of the highway if the vehicle

1 has the capacity to carry eight or more passengers, regardless of the
2 number of passengers in the vehicle: (i) Auto transportation company
3 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
4 carrier vehicles regulated under chapter 81.70 RCW, except marked or
5 unmarked stretch limousines and stretch sport utility vehicles as
6 defined under department of licensing rules; (iii) private nonprofit
7 transportation provider vehicles regulated under chapter 81.66 RCW;
8 and (iv) private employer transportation service vehicles. For
9 purposes of this subsection, "private employer transportation
10 service" means regularly scheduled, fixed-route transportation
11 service that is offered by an employer for the benefit of its
12 employees. Nothing in this subsection is intended to authorize the
13 conversion of public infrastructure to private, for-profit purposes
14 or to otherwise create an entitlement or other claim by private users
15 to public infrastructure.

16 (b) The department shall expand the high occupancy vehicle lane
17 access pilot program to vehicles that deliver or collect blood,
18 tissue, or blood components for a blood-collecting or distributing
19 establishment regulated under chapter 70.335 RCW. Under the pilot
20 program, when the department reserves a portion of a highway based on
21 the number of passengers in a vehicle, blood-collecting or
22 distributing establishment vehicles that are clearly and identifiably
23 marked as such on all sides of the vehicle are considered emergency
24 vehicles and must be authorized to use the reserved portion of the
25 highway.

26 (c) The department shall expand the high occupancy vehicle lane
27 access pilot program to organ transport vehicles transporting a time
28 urgent organ for an organ procurement organization as defined in RCW
29 68.64.010. Under the pilot program, when the department reserves a
30 portion of a highway based on the number of passengers in a vehicle,
31 organ transport vehicles that are clearly and identifiably marked as
32 such on all sides of the vehicle are considered emergency vehicles
33 and must be authorized to use the reserved portion of the highway.

34 (d) The department shall expand the high occupancy vehicle lane
35 access pilot program to private, for hire vehicles regulated under
36 chapter 81.72 RCW that have been specially manufactured, designed, or
37 modified for the transportation of a person who has a mobility
38 disability and uses a wheelchair or other assistive device. Under the
39 pilot program, when the department reserves a portion of a highway
40 based on the number of passengers in a vehicle, wheelchair-accessible

1 taxicabs that are clearly and identifiably marked as such on all
2 sides of the vehicle are considered public transportation vehicles
3 and must be authorized to use the reserved portion of the highway.

4 (e) The department shall expand the high occupancy vehicle lane
5 access pilot program to for hire nonemergency medical transportation
6 vehicles, when in use for medical purposes, as described in section
7 208, chapter 333, Laws of 2021. Under the pilot program, when the
8 department reserves a portion of a highway based on the number of
9 passengers in a vehicle, nonemergency medical transportation vehicles
10 that meet the requirements identified in section 208, chapter 333,
11 Laws of 2021 must be authorized to use the reserved portion of the
12 highway.

13 (f) Nothing in this subsection (2) is intended to exempt these
14 vehicles from paying tolls when they do not meet the occupancy
15 requirements established by the department for express toll lanes.

16 (3) The appropriations in this section assume implementation of
17 additional cost recovery mechanisms to recoup at least \$100,000 in
18 credit card and other financial transaction costs related to the
19 collection of fees imposed under RCW 46.44.0941 for driver and
20 vehicle fee transactions beginning July 1, 2023. The department may
21 recover transaction fees incurred through credit card transactions.
22 The department shall notify the office of the state treasurer of
23 these amounts and the state treasurer must deposit these revenues in
24 the agency financial transaction account created in RCW 46.01.385 on
25 a quarterly basis.

26 (4) The department shall promote safety messages encouraging
27 drivers to slow down and move over and pay attention when emergency
28 lights are flashing on the side of the road and other suitable safety
29 messages on electronic message boards the department operates across
30 the state. The messages must be promoted multiple times each month
31 through June 30, 2025. The department may coordinate such messaging
32 with any statewide public awareness campaigns being developed by the
33 department of licensing or the Washington state traffic safety
34 commission or both.

35 (5) \$1,765,000 of the motor vehicle account—state appropriation
36 is provided solely for the implementation of chapter . . . (Senate
37 Bill No. 5272), Laws of 2023 (speed safety cameras). If chapter . . .
38 (Senate Bill No. 5272), Laws of 2023 is not enacted by June 30, 2023,
39 the amount provided in this subsection lapses.

1 (6) (a) The department shall establish the weigh station
2 preclearance program in accordance with the commercial vehicle
3 information systems and networks electronic screening truck
4 inspection and weigh station preclearance standards authorized by the
5 federal motor carrier safety administration. The program must include
6 preclearance systems providers that meet the following criteria:

7 (i) The preclearance system commercial mobile radio services and
8 dedicated short-range communication devices as transponders
9 technologies must be represented in the program.

10 (ii) The preclearance system must be broadly deployed across the
11 state for interstate operability purposes on the effective date of
12 this section.

13 (b) Computer software and hardware that are necessary to
14 implement this section, including any infrastructure-based devices or
15 technologies, must be made available at no cost to the Washington
16 state patrol. The preclearance system provider is responsible for all
17 costs of operating and maintaining the computer software and
18 hardware. The computer software and hardware must meet the following
19 criteria:

20 (i) The computer software and hardware must meet the requirements
21 of the federal motor carrier safety administration for core
22 compliance with the commercial vehicle information systems and
23 networks electronic screening truck inspection and weigh station
24 preclearance standards.

25 (ii) In-vehicle equipment must be operated in compliance with
26 applicable state law and regulations.

27 (iii) Preclearance messaging must be transmitted and received by
28 the driver through electronic messaging within the cab of the
29 commercial motor vehicle.

30 (iv) If required for preclearance services, real-time data from
31 weigh-in-motion systems or any other systems shall be made available
32 to preclearance system providers.

33 (c) The department, in consultation with the Washington state
34 patrol, shall establish standards for the program in order to meet
35 the needs of Washington state and conform with weigh station
36 preclearance programs in other states, including standards regarding
37 safety history credential status.

38 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**
39 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

1	Motor Vehicle Account—State Appropriation.	\$65,647,000
2	Motor Vehicle Account—Federal Appropriation.	\$780,000
3	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
4	Move Ahead WA Flexible Account—State Appropriation.	\$5,400,000
5	Puget Sound Ferry Operations Account—State	
6	Appropriation.	\$510,000
7	Multimodal Transportation Account—State	
8	Appropriation.	\$22,323,000
9	TOTAL APPROPRIATION.	\$95,160,000

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

12 (1) \$2,400,000 of the move ahead WA flexible account—state
13 appropriation is provided solely for efforts to increase diversity in
14 the transportation construction workforce through the
15 preapprenticeship support services (PASS) program, which aims to
16 increase diversity in the highway construction workforce and prepare
17 individuals interested in entering the highway construction
18 workforce. In addition to the services allowed by RCW 47.01.435, the
19 PASS program may provide housing assistance for youth aging out of
20 the foster care and juvenile rehabilitation systems to support the
21 participation of these youth in a transportation-related
22 preapprenticeship program. The program shall be administered by the
23 Washington state department of transportation's office of equal
24 opportunity.

25 (2) \$3,000,000 of the move ahead WA flexible account—state
26 appropriation is provided solely for expansion of the PASS program to
27 support apprenticeships and workforce development in the maritime
28 industry through preapprenticeship training for inland waterways
29 trades and support services to obtain necessary documents and coast
30 guard certification.

31 (3) \$1,512,000 of the motor vehicle account—state appropriation
32 and \$488,000 of the Puget Sound ferry operations account—state
33 appropriation are provided solely for the department to develop,
34 track, and monitor the progress of community workforce agreements,
35 and to assist with the development and implementation of internal
36 diversity, equity, and inclusion efforts and serve as subject matter
37 experts on federal and state civil rights provisions. The department
38 shall engage with relevant stakeholders, and provide a progress
39 report on the implementation of efforts under this subsection to the

1 transportation committees of the legislature and the governor by
2 December 1, 2024.

3 (4) For Washington state department of transportation small works
4 roster projects under RCW 39.04.155, the department may only allow
5 firms certified as small business enterprises, under 49 C.F.R. 26.39,
6 to bid on the contract, unless the department determines there would
7 be insufficient bidders for a particular project. The department
8 shall report on the effectiveness of this policy to the
9 transportation committees of the legislature by December 1, 2024.

10 (5) \$21,195,000 of the motor vehicle account—state appropriation
11 and \$21,194,000 of the multimodal transportation account—state
12 appropriation are provided solely for the department to upgrade the
13 transportation reporting and accounting information system to the
14 current cloud version of the software, and is subject to the
15 conditions, limitations, and review requirements of section 701 of
16 this act.

17 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**
18 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

19	Carbon Emissions Reduction Account—State	
20	Appropriation.	\$3,000,000
21	Motor Vehicle Account—State Appropriation.	\$34,822,000
22	Motor Vehicle Account—Federal Appropriation.	\$31,412,000
23	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
24	Move Ahead WA Flexible Account—State Appropriation.	\$11,922,000
25	Multimodal Transportation Account—State	
26	Appropriation.	\$1,652,000
27	Multimodal Transportation Account—Federal	
28	Appropriation.	\$2,809,000
29	Multimodal Transportation Account—Private/Local	
30	Appropriation.	\$100,000
31	TOTAL APPROPRIATION.	\$86,117,000

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

34 (1) \$627,000 of the motor vehicle account—federal appropriation
35 is reappropriated and provided solely for the Forward Drive road
36 usage charge research project overseen by the transportation
37 commission using a portion of the amount of the federal grant award.
38 The purpose of the Forward Drive road usage charge research project

1 is to advance research in key policy areas related to road usage
2 charge including assessing impacts of future mobility shifts on road
3 usage charge revenues, conducting an equity analysis, updating and
4 assessing emerging mileage reporting methods, determining
5 opportunities to reduce cost of collection, conducting small-scale
6 pilot tests, and identifying a long-term, detailed phase-in plan.

7 (2) \$294,000 of the multimodal transportation account—state
8 appropriation is provided solely for the department to partner with
9 the department of commerce and regional transportation planning
10 organizations in implementing vehicle miles traveled targets and
11 supporting actions. As part of target setting, important factors that
12 shall be considered include land use patterns, safety, and vulnerable
13 populations. The department shall provide an interim report by June
14 30, 2024, and a final report by June 30, 2025.

15 (3) (a) \$180,000 of the multimodal transportation account—state
16 appropriation is reappropriated and provided solely for Thurston
17 regional planning council (TRPC) to conduct a study examining options
18 for multimodal high capacity transportation (HCT) to serve travelers
19 on the I-5 corridor between central Thurston county (Olympia area)
20 and Pierce county.

21 (b) The study will include an assessment of travelsheds and
22 ridership potential and identify and provide an evaluation of options
23 to enhance connectivity and accessibility for the greater south Puget
24 Sound region with an emphasis on linking to planned or existing
25 commuter or regional light rail. The study must account for previous
26 and ongoing efforts by transit agencies and the department. The study
27 will emphasize collaboration with a diverse community of interests,
28 including but not limited to transit, business, public agencies,
29 tribes, and providers and users of transportation who because of age,
30 income, or ability may face barriers and challenges. TRPC will
31 provide to the transportation committees of the legislature a study
32 outline and recommendations of deliverables by September 1, 2024.

33 (4) \$400,000 of the multimodal transportation account—state
34 appropriation is reappropriated and provided solely for the city of
35 Seattle's office of planning and community development to support an
36 equitable development initiative to reconnect the South Park
37 neighborhood, currently divided by State Route 99.

38 (a) The support work must include:

1 (i) A public engagement and visioning process led by a
2 neighborhood-based, community organization; and

3 (ii) A feasibility study of decommissioning SR 99 in the South
4 Park neighborhood to include, but not be limited to, traffic studies,
5 environmental impact analysis, and development of alternatives,
6 including the transfer of the land to a neighborhood-led community
7 land trust.

8 (b) The support work must be conducted in coordination and
9 partnership with neighborhood residents, neighborhood industrial and
10 commercial representatives, the state department of transportation,
11 and other entities and neighborhoods potentially impacted by changes
12 to the operation of SR 99.

13 (c) The city must provide a report on the plan that includes
14 recommendations to the Seattle city council, state department of
15 transportation, and the transportation committees of the legislature
16 by January 1, 2025.

17 (5) \$3,000,000 of the carbon emissions reduction account—state
18 appropriation is provided solely for the department to develop and
19 implement a community outreach, education, and technical assistance
20 program for overburdened communities and their community partners in
21 order to develop community-centered carbon reduction strategies to
22 make meaningful impacts in a community, and to provide assistance in
23 gaining access to available funding to implement these strategies,
24 where applicable. The department is authorized to provide appropriate
25 compensation to members of overburdened communities who provide
26 solicited community participation and input needed by the department
27 to implement and administer the program established in this
28 subsection. By December 1, 2023, and by December 1, 2024, a report
29 must be submitted to the transportation committees of the legislature
30 and to the governor that provides an update on the department's
31 community outreach, education, and technical assistance program
32 development and implementation efforts.

33 (6) (a) \$300,000 of the motor vehicle account—state appropriation
34 is provided solely for the department of transportation for a Seattle
35 I-5 Ramp Study. The study must include an analysis of options and
36 opportunities to reconfigure, relocate, or remove I-5 ramps within
37 and between Chinatown-International District and the University
38 District for the purpose of improving through-traffic operations,
39 enhancing multimodal transportation safety, and enabling more
40 efficient air rights development. The study must also include an

1 analysis of general potential mitigation needs and cost estimates of
2 ramp changes and demolitions, the benefits to pedestrian and bicycle
3 travel and transit operations, and the benefits to future lid design.
4 The work must be inclusive of ramps for the mainline, collector-
5 distributor lanes, and express lanes.

6 (b) At a minimum, ramps to be analyzed are those connecting to
7 and from James Street, Cherry Street, 6th Avenue, Madison Street,
8 Seneca Street, Spring Street, University Street, Union Street, Olive
9 Way, Yale Avenue, NE 45th Street, and NE 50th Street.

10 (c) Removal of the existing Seneca Street, Spring Street, and
11 University Street ramps must be included in the analysis.

12 (d) Removal and consolidation options for the existing NE 45th
13 Street and NE 50th Street ramps must be included in the analysis.

14 (e) The department must coordinate and partner with the city of
15 Seattle's department of transportation in conducting the analysis and
16 study and making recommendations, with input of I-5 lid stakeholders.

17 (f) The department must coordinate this work with the I-5 studies
18 on planning and environmental linkages, HOV systemwide efficiency,
19 and seismic risk assessment.

20 (g) The department must provide a report on the study that
21 includes recommendations to the city of Seattle department of
22 transportation and the transportation committees of the legislature.

23 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
24 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

25	Aeronautics Account—State Appropriation.	\$1,000
26	Transportation Partnership Account—State	
27	Appropriation.	\$25,000
28	Motor Vehicle Account—State Appropriation.	\$94,221,000
29	Puget Sound Ferry Operations Account—State	
30	Appropriation.	\$244,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$4,000
33	Connecting Washington Account—State Appropriation.	\$203,000
34	Multimodal Transportation Account—State	
35	Appropriation.	\$4,529,000
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation.	\$2,000
38	Interstate 405 and State Route Number 167 Express	

1	Toll Lanes Account—State Appropriation.	\$6,000
2	TOTAL APPROPRIATION.	\$99,235,000

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

5 (1) Consistent with existing protocol and practices, for any
6 negotiated settlement of a claim against the state for the department
7 that exceeds five million dollars, the department, in conjunction
8 with the attorney general and the department of enterprise services,
9 shall notify the director of the office of financial management and
10 the transportation committees of the legislature.

11 (2) Beginning October 1, 2023, and semiannually thereafter, the
12 department, in conjunction with the attorney general and the
13 department of enterprise services, shall provide a report with
14 judgments and settlements dealing with the Washington state ferry
15 system to the director of the office of financial management and the
16 transportation committees of the legislature. The report must include
17 information on: (a) The number of claims and settlements by type; (b)
18 the average claim and settlement by type; (c) defense costs
19 associated with those claims and settlements; and (d) information on
20 the impacts of moving legal costs associated with the Washington
21 state ferry system into the statewide self-insurance pool.

22 (3) Beginning October 1, 2023, and semiannually thereafter, the
23 department, in conjunction with the attorney general and the
24 department of enterprise services, shall provide a report with
25 judgments and settlements dealing with the nonferry operations of the
26 department to the director of the office of financial management and
27 the transportation committees of the legislature. The report must
28 include information on: (a) The number of claims and settlements by
29 type; (b) the average claim and settlement by type; and (c) defense
30 costs associated with those claims and settlements.

31 (4) When the department identifies significant legal issues that
32 have potential transportation budget implications, the department
33 must initiate a briefing for appropriate legislative members or staff
34 through the office of the attorney general's legislative briefing
35 protocol.

36 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **PUBLIC TRANSPORTATION—PROGRAM V**
38 Carbon Emissions Reduction Account—State

1	Appropriation.	\$4,500,000
2	Climate Transit Programs Account—State Appropriation.	\$393,835,000
3	State Vehicle Parking Account—State Appropriation.	\$784,000
4	Regional Mobility Grant Program Account—State	
5	Appropriation.	\$113,300,000
6	Rural Mobility Grant Program Account—State	
7	Appropriation.	\$32,774,000
8	Multimodal Transportation Account—State	
9	Appropriation.	\$118,372,000
10	Multimodal Transportation Account—Federal	
11	Appropriation.	\$4,374,000
12	Multimodal Transportation Account—Private/Local	
13	Appropriation.	\$100,000
14	TOTAL APPROPRIATION.	\$668,039,000

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

17 (1) \$64,354,000 of the multimodal transportation account—state
18 appropriation and \$73,040,000 of the climate transit programs account
19 —state appropriation are provided for a grant program for special
20 needs transportation provided by transit agencies and nonprofit
21 providers of transportation. Of this amount:

22 (a) \$14,801,000 of the multimodal transportation account—state
23 appropriation and \$16,799,000 of the climate transit programs account
24 —state appropriation are provided solely for grants to nonprofit
25 providers of special needs transportation. Grants for nonprofit
26 providers must be based on need, including the availability of other
27 providers of service in the area, efforts to coordinate trips among
28 providers and riders, and the cost effectiveness of trips provided.
29 Fuel type may not be a factor in the grant selection process.

30 (b) \$49,553,000 of the multimodal transportation account—state
31 appropriation and \$56,241,000 of the climate transit programs account
32 —state appropriation are provided solely for grants to transit
33 agencies to transport persons with special transportation needs. To
34 receive a grant, the transit agency must, to the greatest extent
35 practicable, have a maintenance of effort for special needs
36 transportation that is no less than the previous year's maintenance
37 of effort for special needs transportation. Grants for transit
38 agencies must be prorated based on the amount expended for demand
39 response service and route deviated service in calendar year 2021 as

1 reported in the "Summary of Public Transportation-2021" published by
2 the department of transportation. No transit agency may receive more
3 than 30 percent of these distributions. Fuel type may not be a factor
4 in the grant selection process.

5 (2) \$32,774,000 of the rural mobility grant program account—state
6 appropriation is provided solely for grants to aid small cities in
7 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
8 factor in the grant selection process.

9 (3) \$11,262,000 of the multimodal transportation account—state
10 appropriation is provided solely for a public transit rideshare grant
11 program for: (a) Public transit agencies to add or replace rideshare
12 vehicles; and (b) incentives and outreach to increase rideshare use.
13 The grant program for public transit agencies may cover capital costs
14 only; operating costs for public transit agencies are not eligible
15 for funding under this grant program. Additional employees may not be
16 hired from the funds provided in this section for the vanpool grant
17 program, and supplanting of transit funds currently funding vanpools
18 is not allowed. The department shall encourage grant applicants and
19 recipients to leverage funds other than state funds. Fuel type may
20 not be a factor in the grant selection process. Of the amounts
21 provided in this subsection, \$972,000 is for the reappropriation of
22 amounts provided for this purpose in the 2021-2023 fiscal biennium.

23 (4) \$35,622,000 of the regional mobility grant program account—
24 state appropriation is reappropriated and provided solely for the
25 regional mobility grant projects identified in LEAP Transportation
26 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -
27 Public Transportation Program (V).

28 (5) (a) \$77,678,000 of the regional mobility grant program account
29 —state appropriation is provided solely for the regional mobility
30 grant projects identified in LEAP Transportation Document 2023-2 ALL
31 PROJECTS as developed March 26, 2023, Program - Public Transportation
32 Program (V). The department shall review all projects receiving grant
33 awards under this program at least semiannually to determine whether
34 the projects are making satisfactory progress. Any project that has
35 been awarded funds, but does not report activity on the project
36 within one year of the grant award, must be reviewed by the
37 department to determine whether the grant should be terminated. The
38 department shall promptly close out grants when projects have been
39 completed, and any remaining funds must be used only to fund projects

1 identified in the LEAP transportation document referenced in this
2 subsection. The department shall provide annual status reports on
3 December 1, 2023, and December 1, 2024, to the office of financial
4 management and the transportation committees of the legislature
5 regarding the projects receiving the grants. It is the intent of the
6 legislature to appropriate funds through the regional mobility grant
7 program only for projects that will be completed on schedule. A
8 grantee may not receive more than 25 percent of the amount
9 appropriated in this subsection. Additionally, when allocating
10 funding for the 2023-2025 biennium, no more than 30 percent of the
11 total grant program may directly benefit or support one grantee
12 unless all other funding is awarded. The department shall not approve
13 any increases or changes to the scope of a project for the purpose of
14 a grantee expending remaining funds on an awarded grant. Fuel type
15 may not be a factor in the grant selection process.

16 (b) In order to be eligible to receive a grant under (a) of this
17 subsection during the 2023-2025 fiscal biennium, a transit agency
18 must establish a process for private transportation providers to
19 apply for the use of park and ride facilities. For purposes of this
20 subsection, (i) "private transportation provider" means: An auto
21 transportation company regulated under chapter 81.68 RCW; a passenger
22 charter carrier regulated under chapter 81.70 RCW, except marked or
23 unmarked stretch limousines and stretch sport utility vehicles as
24 defined under department of licensing rules; a private nonprofit
25 transportation provider regulated under chapter 81.66 RCW; or a
26 private employer transportation service provider; and (ii) "private
27 employer transportation service" means regularly scheduled, fixed-
28 route transportation service that is offered by an employer for the
29 benefit of its employees.

30 (c) During the 2023-2025 biennium, the department shall consider
31 applications submitted by regional transportation planning
32 organizations and metropolitan planning organizations for the
33 regional mobility grant program for funding in the 2025-2027
34 biennium.

35 (6) \$188,853,000 of the climate transit programs account—state
36 appropriation is provided solely for transit support grants. To be
37 eligible for transit support grant distribution, transit agencies
38 must have submitted documentation of fare-free policy for 18 years of
39 age and under by October 1, 2022, to be eligible for the 2023-2025
40 biennium. Transit agencies must continue the fare-free policy for 18

1 years of age and under to receive the award. Transit agencies that
2 submit fare policy documentation by October 1, 2024, shall become
3 eligible for the next biennial distribution.

4 (7) \$10,667,000 of the climate transit programs account—state
5 appropriation is provided solely for grants to federally recognized
6 tribes in Washington state for any transit purpose, including
7 planning, operating costs, maintenance, and capital costs.

8 (8) \$37,180,000 of the climate transit programs account—state
9 appropriation is provided solely for the bus and bus facilities grant
10 program established in RCW 47.66.130.

11 (9) \$4,407,000 of the multimodal transportation account—state
12 appropriation is reappropriated and provided solely for the green
13 transportation capital grant projects identified in LEAP
14 Transportation Document 2023-2 ALL PROJECTS as developed March 26,
15 2023, Program - Public Transportation Program (V).

16 (10) \$12,000,000 of the multimodal transportation account—state
17 appropriation and \$39,525,000 climate transit programs account—state
18 appropriation are provided solely for the green transportation
19 capital grant projects identified in LEAP Transportation Document
20 2023-2 ALL PROJECTS as developed March 26, 2023, Program - Public
21 Transportation Program (V).

22 (11) \$4,000,000 of the carbon emissions reduction account—state
23 appropriation is provided solely for newly selected green
24 transportation capital grants.

25 (12) Funds provided for the commute trip reduction (CTR) program
26 may also be used for the growth and transportation efficiency center
27 program.

28 (13) \$6,195,000 of the multimodal transportation account—state
29 appropriation, \$3,333,000 of the climate transit programs account—
30 state appropriation, and \$784,000 of the state vehicle parking
31 account—state appropriation are provided solely for CTR grants and
32 activities. Fuel type may not be a factor in the grant selection
33 process. Of this amount:

34 (a) \$30,000 of the state vehicle parking account—state
35 appropriation is provided solely for the STAR pass program for state
36 employees residing in Mason and Grays Harbor Counties. Use of the
37 pass is for public transportation between Mason County and Thurston
38 County, and Grays Harbor and Thurston County. The pass may also be
39 used within Grays Harbor County. The STAR pass commute trip reduction

1 program is open to any state employee who expresses intent to commute
2 to his or her assigned state worksite using a public transit system
3 currently participating in the STAR pass program.

4 (b) \$495,000 of the multimodal transportation account—state
5 appropriation is reappropriated and provided solely for the
6 continuation of previously approved projects under the first/last
7 mile connections grant program.

8 (14) \$36,237,000 of the climate transit programs account—state
9 appropriation is provided solely for move ahead Washington transit
10 projects identified in LEAP Transportation Document 2023-2 ALL
11 PROJECTS as developed March 26, 2023, and \$5,000,000 of the climate
12 transit programs account—state appropriation is provided solely for
13 the City of Seattle/Seattle Center monorail station improvements
14 (L2021097) project.

15 (15)(a) Except as provided otherwise in this subsection,
16 \$11,913,000 of the multimodal transportation account—state
17 appropriation is provided solely for connecting Washington transit
18 projects identified in LEAP Transportation Document 2023-2 ALL
19 PROJECTS as developed March 26, 2023. It is the intent of the
20 legislature that entities identified to receive funding in the LEAP
21 document referenced in this subsection receive the amounts specified
22 in the time frame specified in that LEAP document. If an entity has
23 already completed a project in the LEAP document referenced in this
24 subsection before the time frame identified, the entity may
25 substitute another transit project or projects that cost a similar or
26 lesser amount.

27 (b) Within the amount provided in this subsection, \$750,000 of
28 the multimodal transportation account—state appropriation is provided
29 solely to complete work on Martin Luther King Way, Rainier Ave
30 improvements (G2000040).

31 (16) The department shall not require more than a ten percent
32 match from nonprofit transportation providers for state grants.

33 (17) \$555,000 of the multimodal transportation account—state
34 appropriation and \$500,000 of the carbon emissions reduction account—
35 state appropriation are provided solely for an interagency transfer
36 to the Washington State University extension energy program to
37 administer a technical assistance and education program for public
38 agencies on the use of alternative fuel vehicles. The Washington
39 State University extension energy program shall prepare a report

1 regarding the utilization of the program and provide this report to
2 the transportation committees of the legislature by November 15,
3 2023.

4 (18) The department must provide telework assistance to employers
5 as part of its CTR activities. The objectives of telework assistance
6 include improving transportation system performance, supporting
7 economic vitality, and increasing equity and access to opportunity.

8 (19) \$150,000 of the multimodal transportation account—state
9 appropriation is provided solely for Intercity Transit for the Dash
10 shuttle program.

11 (20) \$500,000 of the multimodal transportation account—state
12 appropriation is provided solely for planning to move Grays Harbor
13 transit operation and administration facilities from the current
14 location.

15 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **MARINE—PROGRAM X**

17	Puget Sound Ferry Operations Account—State	
18	Appropriation.	\$564,299,000
19	Puget Sound Ferry Operations Account—Federal	
20	Appropriation.	\$163,790,000
21	Puget Sound Ferry Operations Account—Private/Local	
22	Appropriation.	\$121,000
23	TOTAL APPROPRIATION.	\$728,210,000

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

26 (1) The office of financial management budget instructions
27 require agencies to recast enacted budgets into activities. The
28 Washington state ferries shall include a greater level of detail in
29 its 2023-2025 supplemental and 2025-2027 omnibus transportation
30 appropriations act requests, as determined jointly by the office of
31 financial management, the Washington state ferries, and the
32 transportation committees of the legislature. This level of detail
33 must include the administrative functions in the operating as well as
34 capital programs. The data in the tables in the report must be
35 supplied in a digital file format.

36 (2) For the 2023-2025 fiscal biennium, the department may enter
37 into a distributor controlled fuel hedging program and other methods

1 of hedging approved by the fuel hedging committee, which must include
2 a representative of the department of enterprise services.

3 (3) (a) \$121,827,000 of the Puget Sound ferry operations account—
4 federal appropriation is for auto ferry vessel operating fuel in the
5 2023-2025 fiscal biennium.

6 (b) \$19,138,000 of the Puget Sound ferry operations account—state
7 appropriation is provided solely for auto ferry vessel operating fuel
8 in the 2023-2025 fiscal biennium, which reflects cost savings from a
9 reduced biodiesel fuel requirement and, therefore, is contingent upon
10 the enactment of section 703 of this act.

11 (c) The amounts provided in this subsection represent the fuel
12 budget for the purposes of calculating any ferry fare fuel surcharge.

13 (4) \$500,000 of the Puget Sound ferry operations account—state
14 appropriation is provided solely for operating costs related to
15 moving vessels for emergency capital repairs. Funds may only be spent
16 after approval by the office of financial management.

17 (5) \$5,500,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for overtime and familiarization
19 expenses incurred by engine, deck, and terminal staff. The department
20 must provide updated staffing cost estimates for fiscal years 2024
21 and 2025 with its annual budget submittal and updated estimates by
22 January 1, 2024.

23 (6) \$1,930,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely for new employee training. The
25 department must work to increase its outreach and recruitment of
26 populations underrepresented in maritime careers and continue working
27 to expand apprenticeship and internship programs, with an emphasis on
28 programs that are shown to improve recruitment for positions with the
29 state ferry system.

30 (7) \$1,064,000 of the Puget Sound ferry operations account—state
31 appropriation is provided solely for traffic control at ferry
32 terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and
33 Bainbridge Island, during peak ferry travel times, with a particular
34 focus on Sundays and holiday weekends.

35 (8) \$175,000 of the Puget Sound ferry operations account—state
36 appropriation is reappropriated and provided solely for the
37 Washington state ferries to conduct a study of passenger
38 demographics. The study may be included as part of a larger origin

1 and destination study. The department shall report study results to
2 the transportation committees of the legislature by December 1, 2023.

3 (9) \$12,580,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for workforce initiatives to
5 include:

6 (a) \$8,126,000 for the able-bodied sailor to mate pathway
7 program;

8 (b) \$756,000 for new mate scholarships;

9 (c) \$1,074,000 for new entry level engine room positions;

10 (d) \$1,024,000 for additional Eagle Harbor apprentices;

11 (e) \$230,000 for a workforce ombudsman;

12 (f) \$680,000 for project management for workforce and operating
13 improvements; and

14 (g) \$690,000 for increased human resources workload.

15 (10) By December 1st of each year, the department must report on
16 the status of efforts to increase the staff available for maintaining
17 the customary level of ferry service, including staff for deck,
18 engine, and terminals. The report must include data for a 12-month
19 period up to the most recent data available, by staff group, showing
20 the number of employees at the beginning of the 12-month period, the
21 number of new employees hired, the number of employees separating
22 from service, and the number of employees at the end of the 12-month
23 period. The report must also include a description of the training
24 and career advancement programs for able-bodied sailors, mates, and
25 engineers; the numbers of employees participating in each program;
26 the number of employees completing each program; the number of open
27 positions that the program is designed to fill; and the anticipated
28 number of employee promotions as a result of program completion. The
29 department must provide the report to the office of financial
30 management and the transportation committees of the legislature.

31 (11) \$93,000 of the Puget Sound ferry operations account—state
32 appropriation is provided solely for the Washington state ferries to
33 secure housing for workforce training sessions and to pay in advance
34 for the costs of transportation worker identification credentials for
35 incoming ferry system employees and trainees.

36 (12) \$150,000 of the Puget Sound ferry operations account—state
37 appropriation is reappropriated and provided solely for the
38 department, in consultation with the joint transportation committee,
39 to oversee a consultant study to identify and recommend cost-

1 effective strategies to maximize walk-on passenger ridership of the
2 Anacortes - San Juan ferry routes as required by section 222(21),
3 chapter 186, Laws of 2022.

4 (13)(a) \$855,000 of the Puget Sound ferry operations account—
5 state appropriation is provided solely for Washington state ferries
6 to provide to Seattle Central Community College for a partnership
7 with the Seattle Maritime Academy. Funding may not be expended until
8 Washington state ferries certifies to the office of financial
9 management that a memorandum of agreement with Seattle Central
10 Community College has been executed. The memorandum of agreement with
11 Seattle Central Community College must address:

12 (i) The shared use of training and other facilities and
13 implementation of joint training opportunities where practicable;

14 (ii) Development of a joint recruitment plan with Seattle Central
15 Community College aimed at increasing enrollment of women and people
16 of color, with specific strategies to recruit existing community and
17 technical college students, maritime skills center students, high
18 school students from maritime programs, including maritime skills
19 center students; foster care graduates; and former juvenile
20 rehabilitation and adult incarcerated individuals; and

21 (iii) Consultation between the parties on the development of the
22 training program, recruitment plan and a five-year operational plan.

23 (b) The joint training and recruitment plan and the five-year
24 operational plan must be submitted to the appropriate policy and
25 fiscal committees of the legislature by December 1, 2023.

26 (14) \$7,180,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for vessel maintenance initiatives
28 to include:

29 (a) \$4,445,000 for a second shift at the Eagle Harbor maintenance
30 facility;

31 (b) \$788,000 for maintenance management project controls to
32 maximize vessel maintenance work at the Eagle Harbor facility; and

33 (c) \$1,947,000 for enterprise asset management operating costs to
34 effectively maintain assets in a state of good repair.

35 (15) \$2,500,000 of the Puget Sound ferry operating account—state
36 appropriation is provided solely for increased security at Colman
37 dock.

1 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **RAIL—PROGRAM Y—OPERATING**

3 Carbon Emissions Reduction Account—State

4 Appropriation. \$1,600,000

5 Motor Vehicle Account—State Appropriation. \$5,000,000

6 Multimodal Transportation Account—State

7 Appropriation. \$83,900,000

8 Multimodal Transportation Account—Private/Local

9 Appropriation. \$46,000

10 TOTAL APPROPRIATION. \$90,546,000

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

13 (1) (a) \$2,250,000 of the multimodal transportation account—state
14 appropriation is provided solely for the continued coordination,
15 engagement, and planning for a new ultra high-speed ground
16 transportation corridor with participation from Washington, Oregon,
17 and British Columbia, and is a reappropriation of funds appropriated
18 in the 2021-2023 biennium. This funding is contingent on meaningful
19 financial contributions for this effort by Oregon or British
20 Columbia. "Ultra high-speed" means a maximum testing speed of at
21 least 250 miles per hour. These efforts are to support and advance
22 activities and must abide by the memorandum of understanding signed
23 by the governors of Washington and Oregon, and the premier of the
24 province of British Columbia in November 2021. The department shall
25 establish a policy committee with participation from Washington,
26 Oregon, and British Columbia, including representation from the two
27 largest caucuses of each chamber of the Washington state legislature,
28 and coordinate the activities of the policy committee to include:

29 (i) Developing an organizational framework that facilitates input
30 in decision-making from all parties;

31 (ii) Developing a public engagement approach with a focus on
32 equity, inclusion, and meaningful engagement with communities,
33 businesses, federal, state, provincial, and local governments
34 including indigenous communities;

35 (iii) Developing and leading a collaborative approach to prepare
36 and apply for potential future federal, state, and provincial funding
37 opportunities, including development of strategies for incorporating
38 private sector participation and private sector contributions to

1 funding, including through the possible use of public-private
2 partnerships;

3 (iv) Beginning work on scenario analysis addressing advanced
4 transportation technologies, land use and growth assumptions, and an
5 agreed to and defined corridor vision statement; and

6 (v) Developing a recommendation on the structure and membership
7 of a formal coordinating entity that will be responsible for
8 advancing the project through the project initiation stage to project
9 development and recommended next steps for establishment of the
10 coordinating entity. Project development processes must include
11 consideration of negative and positive impacts on communities of
12 color, low-income households, indigenous peoples, and other
13 disadvantaged communities.

14 (b) By December 1, 2023, and December 1, 2024, the department
15 shall provide to the governor and the transportation committees of
16 the legislature a status update that includes, but need not be
17 limited to, the status of the items included in (a)(i) through (v) of
18 this subsection.

19 (c) By June 30, 2025, the department shall provide to the
20 governor and the transportation committees of the legislature a
21 report detailing the work conducted by the policy committee and
22 recommendations for establishing a coordinating entity. The report
23 must also include an assessment of current activities and results
24 relating to stakeholder engagement, planning, and any federal funding
25 application. As applicable, the assessment should also be sent to the
26 executive and legislative branches of government in Oregon and
27 appropriate government bodies in the province of British Columbia.

28 (2) The department shall consider applying for federal grant
29 opportunities that support the development of the Amtrak Cascades
30 service. Grant submittals must align with the department's federally
31 required service development plan and state rail plans and
32 partnership agreements with Amtrak as the service provider and BNSF
33 Railway as the host railroad.

34 (3) \$1,600,000 of the carbon emissions reduction account—state
35 appropriation is provided solely to fund the elimination of fares for
36 passengers 18 years of age and younger for service on the Amtrak
37 Cascades corridor in the state.

38 (4) \$300,000 of the multimodal transportation account—state
39 appropriation is provided solely for the department to pursue federal
40 grant opportunities to develop and implement a technology-based truck

1 parking availability system along the I-5 Corridor in partnership
2 with Oregon and California to maximize utilization of existing truck
3 parking capacity and deliver real-time parking availability
4 information to truck drivers. The department may use a portion of the
5 appropriation in this subsection for grant proposal development and
6 as state match funding for technology-based truck parking
7 availability system federal grant applications. The department is
8 required to update the transportation committees of the legislature
9 on agency activities and their status by December 1, 2023, and to
10 provide a final report to the transportation committees of the
11 legislature by December 1, 2024.

12 (5) (a) \$5,000,000 of the motor vehicle account—state
13 appropriation is provided solely for the department, in coordination
14 with the independent review team of the joint transportation
15 committee, to conduct an analysis of highway, road, and freight rail
16 transportation needs, options, and impacts from shifting the movement
17 of freight and goods that currently move by barge through the lower
18 Snake River dams to highways, other roads, and rail. The study should
19 generate volume estimates and evaluate scenarios for changes in
20 infrastructure and operations that would be necessary to address
21 those additional volumes. The assessment must include quantitative
22 analysis based on available data in terms of both financial and
23 carbon emission costs; and qualitative input gathered from tribal
24 governments, local governments, freight interests, and other key
25 stakeholders, including impacts on disadvantaged/underserved
26 communities. The analysis must be informed by the work of the joint
27 transportation committee's independent review team, and must include
28 the following:

29 (i) Existing volumes and traffic patterns;

30 (ii) Potential changes in volumes and traffic patterns
31 immediately following the loss of freight movement by barge and over
32 the following 20 years, including the carbon emissions impact of this
33 mode shift;

34 (iii) Identification of whether regional geography, land
35 availability, and state and federal regulatory processes would allow
36 for rail and road expansions and increased capacity;

37 (iv) Identification of potential infrastructure and operational
38 improvements to existing highways, other roads, and rail, including
39 additional access to facilities, needed to accommodate the higher

1 freight volumes and impacts and potential opportunities to mitigate
2 impacts on shipping rates;

3 (v) Identification of rail line development options, including
4 impacts and potential opportunities to mitigate impacts on grain
5 storage and handling facilities at regional unit train yards and port
6 export facilities;

7 (vi) An assessment of costs associated with mitigating potential
8 slope failure and stabilization necessitated by the drawdown of the
9 river. An assessment of impacts and potential opportunities to
10 mitigate impacts on adjacent roads, bridges, railroads, and utility
11 corridors shall be included;

12 (vii) Both financial and carbon cost estimates for development
13 and implementation of identified needs and options, including
14 planning, design, and construction;

15 (viii) Analysis of the impacts and potential opportunities to
16 mitigate impacts of these infrastructure changes on environmental
17 justice and disadvantaged/underserved communities during
18 construction, as well as from future operations;

19 (ix) Analysis of safety impacts and potential opportunities to
20 mitigate impacts for a shift from barge transportation to rail or
21 truck, including increases in rural community traffic and consistency
22 with the Washington State Strategic Highway Safety Plan: Target Zero;

23 (x) Impacts and potential opportunities to mitigate impacts on
24 highly affected commodities, including agriculture, petroleum,
25 project cargo, and wind energy components;

26 (xi) Analysis of the impacts and potential opportunities to
27 mitigate impacts that reduced competition resulting from removing
28 barging of agricultural products on the Snake River would have on
29 Washington's agricultural industry along with impacts modal shifts
30 would have on the entire supply chain, including export facilities
31 and ports on the Lower Columbia River;

32 (xii) Determination of the feasibility that additional east-west
33 rail capacity can be achieved, particularly through Columbia River
34 Gorge, and the alternative routes that exist in the event that adding
35 more infrastructure on these routes is not feasible; and

36 (xiii) Determination of the feasibility and cost that additional
37 east-west rail capacity can be achieved, particularly through
38 Columbia River Gorge, and what alternative routes exist in the event
39 adding more infrastructure on these routes is not feasible.

1 (b) The department shall provide an interim report to the
2 governor and the transportation committees of the legislature by June
3 30, 2025. The legislature intends to require a final report to the
4 governor and the transportation committees of the legislature by
5 December 31, 2026.

6 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

8	Motor Vehicle Account—State Appropriation.	\$14,680,000
9	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
10	Multiuse Roadway Safety Account—State Appropriation. . . .	\$1,230,000
11	Multimodal Transportation Account—State	
12	Appropriation.	\$1,250,000
13	TOTAL APPROPRIATION.	\$19,727,000

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

16 (1) \$1,200,000 of the multiuse roadway safety account—state
17 appropriation is provided solely for grants under RCW 46.09.540,
18 subject to the following limitations:

19 (a) Twenty-five percent of the amounts provided are reserved for
20 counties that each have a population of 15,000 persons or less; and

21 (b) (i) Seventy-five percent of the amounts provided are reserved
22 for counties that each have a population exceeding 15,000 persons;
23 and

24 (ii) No county that receives a grant or grants under (a) of this
25 subsection may receive more than \$60,000 in total grants.

26 (2) \$30,000 of the multiuse roadway safety account—state
27 appropriation is provided solely for outreach and technical
28 assistance to counties and stakeholder groups for purposes of
29 increasing utilization of the multiuse roadway safety grant program.

30 (3) \$1,063,000 of the motor vehicle account—state appropriation
31 is provided solely for the department, from amounts set aside out of
32 statewide fuel taxes distributed to counties according to RCW
33 46.68.120(3), to contract with the Washington state association of
34 counties to:

35 (a) Contract with the Washington state department of fish and
36 wildlife to identify, inventory, and prioritize county-owned fish
37 passage barriers;

1 (b) Continue streamlining and updating the county road
2 administration board's data dashboard, to provide a more detailed,
3 more transparent, and user-friendly platform for data management,
4 reporting, and research by the public and other interested parties;

5 (c) Commission a study to develop guidance for county public
6 works departments conducting environmental justice assessments in
7 their communities and recommend best practices for community
8 engagement plans to address environmental health disparities for
9 identified overburden communities;

10 (d) Contract for a study to identify best practices within public
11 works for the recruitment and retention of employees, including
12 recommendations for improving outreach and recruitment to
13 underrepresented populations, methods to partner with local community
14 colleges and universities, ways to expand apprenticeship and
15 internship programs, strategies to increase training and development
16 opportunities, and recommendations for career advancement programs
17 and better work life balance outcomes;

18 (e) Update the 2020 county transportation revenue study; and

19 (f) By December 15, 2024, report to the office of financial
20 management and the appropriate committees of the legislature to
21 provide the deliverables from and the amounts expended on the
22 purposes enumerated in this subsection.

23 (4) \$500,000 of the motor vehicle account—state appropriation is
24 provided solely for development, administration, program management,
25 and evaluation of the federal fund exchange pilot program.

26 (5) \$146,000 of the motor vehicle account—state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 House Bill No. 1782), Laws of 2023 (Wahkiakum ferry).

29 (6) \$140,000 of the motor vehicle account—state appropriation is
30 provided solely for the Pierce county ferry to eliminate fares for
31 passengers 18 years of age and younger.

32 (7) \$750,000 of the multimodal transportation account—state
33 appropriation is provided solely for a grant program to support local
34 initiatives that expand or establish civilian intervention programs
35 for nonmoving violations, focusing on nonpunitive interventions such
36 as helmet voucher programs, fee offset programs, fix-it tickets, and
37 repair vouchers that provide solutions for vehicle equipment failures
38 for low-income road users.

1 (8) Grants must be awarded to local jurisdictions based on
2 locally developed proposals to establish or expand existing programs,
3 including programs with community-lead organizations. Eligible
4 jurisdictions under the grant program include cities, counties,
5 tribal government entities, tribal organizations, law enforcement
6 agencies, or nonprofit organizations.

7 (9) The department of transportation shall report on its website
8 by December 1st of each year on the recipients, locations, and types
9 of projects funded under this program.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

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

3 State Patrol Highway Account—State Appropriation. . . . \$7,191,000

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

6 (1) \$6,591,000 of the state patrol highway account—state
7 appropriation is provided solely for the following projects:

- 8 (a) \$250,000 is for emergency repairs;
- 9 (b) \$1,800,000 is for roof replacements;
- 10 (c) \$350,000 is for fuel tank decommissioning;
- 11 (d) \$503,000 is for generator and electrical replacement;
- 12 (e) \$704,000 is for the exterior envelope of the Yakima office;
- 13 (f) \$2,189,000 is for energy efficiency projects;
- 14 (g) \$495,000 is for pavement surface improvements; and
- 15 (h) \$300,000 is for fire alarm panel replacement.

16 (2) The Washington state patrol may transfer funds between
17 projects specified in this subsection to address cash flow
18 requirements.

19 (3) If a project specified in subsection (1) of this section is
20 completed for less than the amount provided, the remainder may be
21 transferred to another project specified in subsection (1) of this
22 subsection not to exceed the total appropriation provided in
23 subsection (1) of this subsection after notifying the office of
24 financial management and the house and senate transportation
25 committees 20 days prior to any transfer.

26 (4) By December 1, 2023, the Washington state patrol shall
27 provide a report to the transportation committees of the legislature
28 detailing utility incentives that will reduce the cost of heating,
29 ventilating, and air conditioning systems funded in this section.

30 (5) By December 1, 2023, the Washington state patrol shall
31 provide its capital improvement and preservation plan for agency
32 facilities to the appropriate committees of the legislature.

33 (6) \$500,000 of the state patrol highway account—state
34 appropriation is reappropriated and provided solely for replacement
35 of the Tacoma district office generator.

36 (7) \$100,000 of the state patrol highway account—state
37 appropriation is reappropriated and provided solely for heating,

1 ventilating, and air conditioning unit replacement at the Sea-Tac
2 north inspection station.

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

4	Move Ahead WA Account—State Appropriation.	\$9,333,000
5	Rural Arterial Trust Account—State Appropriation.	\$58,000,000
6	Motor Vehicle Account—State Appropriation.	\$2,456,000
7	County Arterial Preservation Account—State	
8	Appropriation.	\$37,678,000
9	TOTAL APPROPRIATION.	\$107,467,000

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

11	Small City Pavement and Sidewalk Account—State	
12	Appropriation.	\$3,975,000
13	Transportation Improvement Account—State	
14	Appropriation.	\$240,000,000
15	Complete Streets Grant Program Account—State	
16	Appropriation.	\$14,670,000
17	Climate Active Transportation Account—State	
18	Appropriation.	\$19,067,000
19	Move Ahead WA Account—State Appropriation.	\$9,333,000
20	TOTAL APPROPRIATION.	\$287,045,000

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

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

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

28 (3) The transportation improvement board shall cooperate and
29 provide assistance, as requested, in the joint transportation
30 committee's development of program delivery evaluation tools and
31 methodologies provided under section 204 of this act for programs
32 that receive funding from the climate active transportation account.

33 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**
34 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
35 **CAPITAL**

36	Motor Vehicle Account—State Appropriation.	\$29,173,000
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1	Move Ahead WA Account—State Appropriation.	\$17,037,000
2	TOTAL APPROPRIATION.	\$46,210,000

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

5 (1) \$15,457,000 of the motor vehicle account—state appropriation
6 is provided solely for making improvements to the department facility
7 located at 11018 NE 51st Cir in Vancouver to meet the Washington
8 state clean buildings performance standard.

9 (2) (a) \$4,025,000 of the motor vehicle account—state
10 appropriation is provided solely for payments of a financing contract
11 issued pursuant to chapter 39.94 RCW for the department facility
12 located at 15700 Dayton Ave N in Shoreline.

13 (b) Payments from the department of ecology pursuant to the
14 agreement with the department to pay a share of the financing
15 contract in (a) of this subsection must be deposited into the motor
16 vehicle account.

17 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
18 **IMPROVEMENTS—PROGRAM I**

19	Alaskan Way Viaduct Replacement Project Account—	
20	State Appropriation.	\$23,794,000
21	Climate Active Transportation Account—State	
22	Appropriation.	\$2,000,000
23	Move Ahead WA Account—Private/Local Appropriation. . . .	\$137,500,000
24	Transportation 2003 Account (Nickel Account)—State	
25	Appropriation.	\$317,000
26	Transportation Partnership Account—State	
27	Appropriation.	\$32,646,000
28	Motor Vehicle Account—State Appropriation.	\$81,442,000
29	Motor Vehicle Account—Federal Appropriation.	\$222,792,000
30	Coronavirus State Fiscal Recovery Fund—Federal	
31	Appropriation.	\$300,000,000
32	Motor Vehicle Account—Private/Local Appropriation. . . .	\$52,530,000
33	Connecting Washington Account—State Appropriation. . .	\$2,230,562,000
34	Special Category C Account—State Appropriation.	\$130,069,000
35	Multimodal Transportation Account—State	
36	Appropriation.	\$5,915,000
37	State Route Number 520 Corridor Account—State	

1	Appropriation.	\$400,000
2	Interstate 405 and State Route Number 167 Express	
3	Toll Lanes Account—State Appropriation.	\$304,480,000
4	Move Ahead WA Account—State Appropriation.	\$832,172,000
5	Move Ahead WA Account—Federal Appropriation.	\$376,966,000
6	TOTAL APPROPRIATION.	\$4,733,585,000

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

9 (1) Except as provided otherwise in this section, the entire move
10 ahead WA account—state appropriation, the entire connecting
11 Washington account—state appropriation and the entire transportation
12 partnership account—state appropriation are provided solely for the
13 projects and activities as listed by fund, project, and amount in
14 LEAP Transportation Document 2023-1 as developed March 26, 2023,
15 Program - Highway Improvements Program (I), except that \$3,000,000 of
16 the connecting Washington account—state appropriation is removed from
17 the SR 539/Guide Meridian project, and \$19,000,000 of the connecting
18 Washington account—state appropriation is provided solely for the
19 I-5/116th Street NE, 88th Street NE, and SR 528/Marine Drive
20 Interchange project (T20700SC), and that it is the intent of the
21 legislature to advance funding to the 2025-2027 fiscal biennium from
22 the 2027-2029 biennium for the US 101/Simdars Bypass project
23 (L4000013). However, limited transfers of specific line-item project
24 appropriations may occur between projects for those amounts listed
25 subject to the conditions and limitations in section 601 of this act.

26 (2) Except as provided otherwise in this section, the entire
27 motor vehicle account—state appropriation and motor vehicle account—
28 federal appropriation are provided solely for the projects and
29 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS
30 as developed March 26, 2023, Program - Highway Improvements Program
31 (I). Any federal funds gained through efficiencies, adjustments to
32 the federal funds forecast, or the federal funds redistribution
33 process must then be applied to highway and bridge preservation
34 activities or fish passage barrier corrections (0BI4001).

35 (3) Within the motor vehicle account—state appropriation and
36 motor vehicle account—federal appropriation, the department may
37 transfer funds between programs I and P, except for funds that are
38 otherwise restricted in this act. Ten days prior to any transfer, the
39 department must submit its request to the office of financial

1 management and the transportation committees of the legislature and
2 consider any concerns raised. The department shall submit a report on
3 fiscal year funds transferred in the prior fiscal year using this
4 subsection as part of the department's annual budget submittal.

5 (4) The connecting Washington account—state appropriation
6 includes up to \$1,760,310,000 in proceeds from the sale of bonds
7 authorized in RCW 47.10.889.

8 (5) The special category C account—state appropriation includes
9 up to \$111,450,000 in proceeds from the sale of bonds authorized in
10 RCW 47.10.812.

11 (6) The Interstate 405 and state route number 167 express toll
12 lanes account—state appropriation includes up to \$102,206,000 in
13 proceeds from the sale of bonds authorized in RCW 47.10.873.

14 (7) The department shall itemize all future requests for the
15 construction of buildings on a project list and submit them through
16 the transportation executive information system as part of the
17 department's annual budget submittal. It is the intent of the
18 legislature that new facility construction must be transparent and
19 not appropriated within larger highway construction projects.

20 (8) Any advisory group that the department convenes during the
21 2023-2025 fiscal biennium must consider the interests of the entire
22 state of Washington.

23 (9) The legislature continues to prioritize the replacement of
24 the state's aging infrastructure and recognizes the importance of
25 reusing and recycling construction aggregate and recycled concrete
26 materials in our transportation system. To accomplish Washington
27 state's sustainability goals in transportation and in accordance with
28 RCW 70.95.805, the legislature reaffirms its determination that
29 recycled concrete aggregate and other transportation building
30 materials are natural resource construction materials that are too
31 valuable to be wasted and landfilled, and are a commodity as defined
32 in WAC 173-350-100.

33 Further, the legislature determines construction aggregate and
34 recycled concrete materials substantially meet widely recognized
35 international, national, and local standards and specifications
36 referenced in American society for testing and materials, American
37 concrete institute, Washington state department of transportation,
38 Seattle department of transportation, American public works
39 association, federal aviation administration, and federal highway

1 administration specifications, and are described as necessary and
2 desirable products for recycling and reuse by state and federal
3 agencies.

4 As these recyclable materials have well established markets, are
5 substantially a primary or secondary product of necessary
6 construction processes and production, and are managed as an item of
7 commercial value, construction aggregate and recycled concrete
8 materials are exempt from chapter 173-350 WAC.

9 (10) \$23,794,000 of the Alaskan Way viaduct replacement project
10 account—state appropriation is reappropriated and provided solely for
11 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is
12 the intent of the legislature that any legal damages paid to the
13 state because of a lawsuit related to contractual provisions for
14 construction and delivery of the Alaskan Way viaduct replacement
15 project be used to repay project cost increases paid from the
16 transportation partnership account—state funds and motor vehicle
17 account—state funds.

18 (11) \$166,206,000 of the connecting Washington account—state
19 appropriation is provided solely for the US 395 North Spokane
20 Corridor project (M00800R).

21 (12)(a) \$394,963,000 of the connecting Washington account—state
22 appropriation, \$400,000 of the state route number 520 corridor
23 account—state appropriation, and \$4,496,000 of the motor vehicle
24 account—private/local appropriation are provided solely for the SR
25 520 Seattle Corridor Improvements - West End project (M00400R).

26 (b) Upon completion of the Montlake Phase of the West End project
27 (current anticipated contract completion of 2023), the department
28 shall sell that portion of the property not used for permanent
29 transportation improvements and initiate a process to convey that
30 surplus property to a subsequent owner.

31 (c) Of the amounts provided in this subsection (12), \$400,000 of
32 the state route number 520 corridor account—state appropriation is
33 provided solely for noise mitigation activities. It is the intent of
34 the legislature to provide an additional \$1,000,000 for noise
35 mitigation activities over the course of the 16-year move ahead WA
36 funding package.

37 (13) \$555,842,000 of the connecting Washington account—state
38 appropriation, \$155,000 of the multimodal transportation account—
39 state appropriation, \$26,537,000 of the motor vehicle account—

1 private/local appropriation, \$200,800,000 of the move ahead WA
2 account—federal appropriation, \$68,191,000 of the move ahead WA
3 account—state appropriation, and \$21,980,000 of the motor vehicle
4 account—federal appropriation are provided solely for the SR 167/SR
5 509 Puget Sound Gateway project (M00600R).

6 (a) Any savings on the project must stay on the Puget Sound
7 Gateway corridor until the project is complete.

8 (b) In making budget allocations to the Puget Sound Gateway
9 project, the department shall implement the project's construction as
10 a single corridor investment. The department shall continue to
11 collaborate with the affected stakeholders as it implements the
12 corridor construction and implementation plan for state route number
13 167 and state route number 509. Specific funding allocations must be
14 based on where and when specific project segments are ready for
15 construction to move forward and investments can be best optimized
16 for timely project completion. Emphasis must be placed on avoiding
17 gaps in fund expenditures for either project.

18 (c) It is the legislature's intent that the department shall
19 consult with the joint executive committee and joint steering
20 committee to determine the most appropriate interchange at the
21 junction of state route number 161 (Meridian avenue) and state route
22 number 167.

23 (d) Of the amounts provided in this subsection, \$2,300,000 of the
24 multimodal transportation account—state appropriation is provided
25 solely for the design phase of the Puyallup to Tacoma multiuse trail
26 along the SR 167 right-of-way acquired for the project to connect a
27 network of new and existing trails from Mount Rainier to Point
28 Defiance Park.

29 (e) Of the amounts provided in this subsection, \$2,500,000 of the
30 multimodal transportation account—state appropriation is provided
31 solely for segment 2 of the state route number 167 completion project
32 shared-use path to provide connections to the interchange of state
33 route number 167 at 54th to the intersection of state route number
34 509 and Taylor Way in Tacoma.

35 (14) \$53,000,000 of the move ahead WA account—state
36 appropriation, \$84,500,000 of the move ahead WA account—federal
37 appropriation, and \$137,500,000 of the move ahead WA account—private/
38 local appropriation are provided solely for the I-5 Columbia River
39 Bridge (L4000054), including support of a project office and the

1 continued work toward replacing the I-5 Columbia River Bridge. The
2 legislature finds that the replacement of the I-5 Columbia River
3 Bridge is a project of national significance and is critical for the
4 movement of freight. Replacing the aging interstate bridge with a
5 modern, seismically resilient, multimodal structure that provides
6 improved mobility for people, goods, and services is a high priority.
7 Therefore, the legislature intends to support the replacement of the
8 I-5 Columbia River Bridge with an investment of \$1,000,000,000 over
9 the 16-year move ahead WA investment program.

10 (15) (a) \$662,000,000 of the move ahead WA account—state
11 appropriation, \$300,000,000 of the coronavirus state fiscal recovery
12 fund—federal appropriation, \$78,112,000 of the motor vehicle account
13 —federal appropriation, and \$1,293,000 of the motor vehicle account—
14 state appropriation are provided solely for the Fish Passage Barrier
15 Removal project (0BI4001) with the intent of fully complying with the
16 federal *U.S. v. Washington* court injunction by 2030.

17 (b) The department shall coordinate with the Brian Abbott fish
18 passage barrier removal board to use a watershed approach by
19 replacing both state and local culverts guided by the principle of
20 providing the greatest fish habitat gain at the earliest time. The
21 department shall deliver high habitat value fish passage barrier
22 corrections that it has identified, guided by the following factors:
23 Opportunity to bundle projects, tribal priorities, ability to
24 leverage investments by others, presence of other barriers, project
25 readiness, culvert conditions, other transportation projects in the
26 area, and transportation impacts. The department and Brian Abbott
27 fish barrier removal board must provide updates on the implementation
28 of the statewide culvert remediation plan to the legislature by
29 November 1, 2023, and June 1, 2024.

30 (c) The department must keep track of, for each barrier removed:
31 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
32 amount spent to comply with the injunction.

33 (d) During the 2023-2025 fiscal biennium, the department shall
34 provide reports of the amounts of federal funding received for this
35 project to the governor and transportation committees of the
36 legislature by November 1, 2023, and semiannually thereafter.

37 (16) \$12,327,000 of the Interstate 405 and state route number 167
38 express toll lanes account—state appropriation and \$1,257,000 of the
39 transportation partnership account—state appropriation are provided

1 solely for the SR 167/SR 410 to SR 18 - Congestion Management project
2 (316706C).

3 (17) \$10,000,000 of the move ahead WA account—state
4 appropriation, \$45,000,000 of the move ahead WA account—federal
5 appropriation, and \$1,898,000 of the Special Category C account—state
6 appropriation is provided solely for the SR 18 Widening - Issaquah/
7 Hobart Rd to Raging River project (L1000199) for improving and
8 widening state route number 18 to four lanes from Issaquah-Hobart
9 Road to Raging River.

10 (18) \$3,000,000 of the connecting Washington account—state
11 appropriation is provided solely for the North Lewis County
12 transportation study. The study shall examine new, alternate routes
13 for vehicular and truck traffic at the Harrison interchange (Exit 82)
14 in North Centralia and shall allow for a site and configuration to be
15 selected and feasibility to be conducted for final design,
16 permitting, and construction of the I-5/North Lewis county
17 Interchange project (L2000204).

18 (19) \$11,031,000 of the motor vehicle account—state
19 appropriation, \$10,000,000 of the connecting Washington account—state
20 appropriation, and \$10,000,000 of the move ahead WA account—state
21 appropriation are provided solely for the SR 522/Paradise Lk Rd
22 Interchange & Widening on SR 522 (Design/Engineering) project
23 (NPARADI).

24 (20) \$9,729,000 of the motor vehicle account—state appropriation
25 is provided solely for the SR 162/410 Interchange Design and Right of
26 Way project (L1000276).

27 (21) \$14,815,000 of the connecting Washington account—state
28 appropriation is provided solely for the US Hwy 2 Safety project
29 (N00200R).

30 (22) \$10,422,000 of the connecting Washington account—state
31 appropriation is provided solely for the SR 3 Freight Corridor
32 (T30400R) project. The legislature intends to provide a total of
33 \$78,910,000 for this project to ensure that:

34 (a) The northern terminus remains at Lake Flora Road and the
35 southern terminus at the intersection of SR 3/SR 302;

36 (b) Multimodal safety improvements at the southern terminus
37 remain in the project to provide connections to North Mason school
38 district and provide safe routes to schools; and

1 (c) Intersections on the freight corridor are constructed at
2 Romance Hill and Log Yard road.

3 (23) \$450,000 of the motor vehicle account—state appropriation is
4 provided solely for the SR 900 Safety Improvements project
5 (L2021118). The department must: (a) Work in collaboration with King
6 county and Skyway coalition to align community assets, transportation
7 infrastructure needs, and initial design for safety improvements
8 along SR 900; and (b) work with the Skyway coalition to lead
9 community planning engagement and active transportation activities.

10 (24) \$5,694,000 of the connecting Washington account—state
11 appropriation is provided solely for the I-5/Chamber Way Interchange
12 Vicinity Improvements project.

13 (25) \$1,000,000 of the motor vehicle account—state appropriation
14 is provided solely for planning and pre-design for expansion of state
15 route number 162 from state route number 410 south to west city
16 limits of Orting with an addition of a center turn lane to increase
17 safety, relieve congestion, reduce collisions, and increase fire and
18 law enforcement personnel response time to emergencies.

19 (26) \$25,000,000 of the motor vehicle account—state appropriation
20 is provided solely for a federal fund exchange pilot program. The
21 pilot program will allow exchanges of federal surface transportation
22 block grant population funding and state funds at an exchange rate of
23 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the
24 appropriation in this subsection shall be held in unallotted status
25 until surface transportation block grant population funding has been
26 offered to the state, the department determines that a federalized
27 project or projects funded in sections 305 (Improvements) or 306
28 (Preservation) is eligible to spend the surface transportation block
29 grant population funding, and state funds appropriated in sections
30 305 (Improvements) or 306 (Preservation) for the eligible state
31 project or projects in an amount equal to 100 percent of the offered
32 surface transportation block grant population funding have been
33 placed in unallotted status. A report on the effectiveness of the
34 exchange program and recommendations for continuing the pilot program
35 is due to the governor and transportation committees of the
36 legislature by December 1, 2024.

37 (27) With respect to right-of-way acquisition and the
38 construction of the SR 3 Freight Corridor project (T30400R), tribal
39 consultation with the Suquamish Tribe shall begin at the earliest

1 stage of planning, including without limitation on all funding
 2 decisions and funding programs, to provide a government-to-government
 3 mechanism for the tribe to evaluate, identify, and expressly notify
 4 governmental entities of any potential impacts to tribal cultural
 5 resources, archaeological sites, sacred sites, fisheries, or other
 6 rights and interests in tribal lands and lands within which the tribe
 7 possesses rights reserved or protected by federal treaty, statute, or
 8 executive order. The consultation is independent of, and in addition
 9 to, any public participation process required by state law, or by a
 10 state agency, including the requirements of Executive Order 21-02
 11 related to archaeological and cultural resources, and regardless of
 12 whether the agency receives a request for consultation from the
 13 Suquamish Tribe. Regularly scheduled tribal consultation meetings
 14 with the Suquamish Tribe shall continue throughout the duration of
 15 any funding or program decisions and proposed project approval.

16 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**

17 **PRESERVATION—PROGRAM P**

18	Move Ahead WA Account—State Appropriation.	\$172,000,000
19	Recreational Vehicle Account—State Appropriation.	\$793,000
20	Transportation 2003 Account (Nickel Account)—State	
21	Appropriation.	\$18,759,000
22	Transportation Partnership Account—State	
23	Appropriation.	\$10,001,000
24	Motor Vehicle Account—State Appropriation.	\$82,066,000
25	Motor Vehicle Account—Federal Appropriation.	\$129,911,000
26	Motor Vehicle Account—Private/Local Appropriation.	\$12,000,000
27	Connecting Washington Account—State Appropriation.	\$29,582,000
28	State Route Number 520 Corridor Account—State	
29	Appropriation.	\$5,481,000
30	Tacoma Narrows Toll Bridge Account—State	
31	Appropriation.	\$10,892,000
32	Alaskan Way Viaduct Replacement Project Account—	
33	State Appropriation.	\$12,000
34	Interstate 405 and State Route Number 167 Express	
35	Toll Lanes Account—State Appropriation.	\$27,026,000
36	TOTAL APPROPRIATION.	\$498,523,000

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

1 (1) Except as provided otherwise in this section, the entire move
2 ahead WA account—state appropriation, the entire connecting
3 Washington account—state appropriation and the entire transportation
4 partnership account—state appropriation are provided solely for the
5 projects and activities as listed by fund, project, and amount in
6 LEAP Transportation Document 2023-1 as developed March 26, 2023,
7 Program - Highway Preservation Program (P). However, limited
8 transfers of specific line-item project appropriations may occur
9 between projects for those amounts listed subject to the conditions
10 and limitations in section 601 of this act.

11 (2) Except as provided otherwise in this section, the entire
12 motor vehicle account—state appropriation and motor vehicle account—
13 federal appropriation are provided solely for the projects and
14 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS
15 as developed March 26, 2023, Program - Highway Preservation Program
16 (P). Any federal funds gained through efficiencies, adjustments to
17 the federal funds forecast, or the federal funds redistribution
18 process must then be applied to highway and bridge preservation
19 activities or fish passage barrier corrections (0BI4001).

20 (3) Within the motor vehicle account—state appropriation and
21 motor vehicle account—federal appropriation, the department may
22 transfer funds between programs I and P, except for funds that are
23 otherwise restricted in this act. Ten days prior to any transfer, the
24 department must submit its request to the office of financial
25 management and the transportation committees of the legislature and
26 consider any concerns raised. The department shall submit a report on
27 fiscal year funds transferred in the prior fiscal year using this
28 subsection as part of the department's annual budget submittal.

29 (4) \$22,000,000 of the motor vehicle account—state appropriation
30 is provided solely for extraordinary costs incurred from litigation
31 awards, settlements, or dispute mitigation activities not eligible
32 for funding from the self-insurance fund (L2000290). The amount
33 provided in this subsection must be held in unallotted status until
34 the department submits a request to the office of financial
35 management that includes documentation detailing litigation-related
36 expenses. The office of financial management may release the funds
37 only when it determines that all other funds designated for
38 litigation awards, settlements, and dispute mitigation activities
39 have been exhausted. No funds provided in this subsection may be

1 expended on any legal fees related to the SR 99/Alaskan Way viaduct
2 replacement project (809936Z).

3 (5) The appropriation in this section includes funding for
4 starting planning, engineering, and construction of the Elwha River
5 bridge replacement. To the greatest extent practicable, the
6 department shall maintain public access on the existing route.

7 (6) Within the connecting Washington account—state appropriation,
8 the department may transfer funds from Highway System Preservation
9 (L1100071) to other preservation projects listed in the LEAP
10 transportation document identified in subsection (1) of this section,
11 if it is determined necessary for completion of these high priority
12 preservation projects. The department's next budget submittal after
13 using this subsection must appropriately reflect the transfer.

14 (7) \$21,000 of motor vehicle account—state appropriation is
15 provided solely for the implementation of chapter . . . (House Bill
16 No. 1004), Laws of 2023 (bridge jumping signs). If chapter . . .
17 (House Bill No. 1004), Laws of 2023 is not enacted by June 30, 2023,
18 the amount provided in this subsection lapses.

19 (8) \$25,000,000 of the motor vehicle account—state appropriation
20 is provided solely for a federal fund exchange pilot program. The
21 pilot program will allow exchanges of federal surface transportation
22 block grant population funding and state funds at an exchange rate of
23 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the
24 appropriation in this subsection shall be held in unallotted status
25 until surface transportation block grant population funding has been
26 offered to the state, the department determines that a federalized
27 project or projects funded in sections 305 (Improvements) or 306
28 (Preservation) is eligible to spend the surface transportation block
29 grant population funding, and state funds appropriated in sections
30 305 (Improvements) or 306 (Preservation) for the eligible state
31 project or projects in an amount equal to 100 percent of the offered
32 surface transportation block grant population funding have been
33 placed in unallotted status. A report on the effectiveness of the
34 exchange program and recommendations for continuing the pilot program
35 is due to the governor and transportation committees of the
36 legislature by December 1, 2024.

37 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
38 **TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL**

1	Motor Vehicle Account—State Appropriation.	\$8,275,000
2	Motor Vehicle Account—Federal Appropriation.	\$5,100,000
3	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
4	TOTAL APPROPRIATION.	\$13,875,000

5 The appropriations in this section are subject to the following
6 conditions and limitations: \$3,080,000 of the motor vehicle account—
7 state appropriation is provided solely to construct pedestrian
8 signals at nine locations on state route number 7 from 124th Street
9 South to 189th Street South (0000YYY).

10 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
11 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

12	Carbon Emissions Reduction Account—State	
13	Appropriation.	\$64,062,000
14	Move Ahead WA Account—State Appropriation.	\$17,114,000
15	Puget Sound Capital Construction Account—State	
16	Appropriation.	\$350,594,000
17	Puget Sound Capital Construction Account—Federal	
18	Appropriation.	\$29,372,000
19	Puget Sound Capital Construction Account—	
20	Private/Local Appropriation.	\$1,081,000
21	Transportation Partnership Account—State	
22	Appropriation.	\$7,442,000
23	Connecting Washington Account—State Appropriation.	\$10,812,000
24	Capital Vessel Replacement Account—State	
25	Appropriation.	\$46,818,000
26	TOTAL APPROPRIATION.	\$527,295,000

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

29 (1) Except as provided otherwise in this section, the entire
30 appropriations in this section are provided solely for the projects
31 and activities as listed in LEAP Transportation Document 2023-2 ALL
32 PROJECTS as developed March 26, 2023, Program - Washington State
33 Ferries Capital Program (W).

34 (2) For the 2023-2025 biennium, the marine division shall provide
35 to the office of financial management and the legislative
36 transportation committees the following reports on ferry capital
37 projects:

1 (a) On a semiannual basis the report must include a status update
2 on projects with funding provided in subsections (4) through (6) and
3 (8) of this section including, but not limited to, the following:

- 4 (i) Anticipated cost increases and cost savings;
- 5 (ii) Anticipated cash flow and schedule changes; and
- 6 (iii) Explanations for the changes.

7 (b) On an annual basis the report must include a status update on
8 vessel and terminal preservation and improvement plans including, but
9 not limited to, the following:

- 10 (i) What work has been done;
- 11 (ii) How have schedules shifted; and
- 12 (iii) Associated changes in funding among projects, accompanied
13 by explanations for the changes.

14 (c) On an annual basis the report must include an update on the
15 implementation of the maintenance management system with
16 recommendations for using the system to improve the efficiency of
17 project reporting under this subsection.

18 (3) \$5,000,000 of the Puget Sound capital construction account—
19 state appropriation is provided solely for emergency capital repair
20 costs (999910K). Funds may only be spent after approval by the office
21 of financial management.

22 (4) \$32,997,000 of the Puget Sound capital construction account—
23 state appropriation is provided solely for the conversion of up to
24 two Jumbo Mark II vessels to electric hybrid propulsion (G2000084).
25 The department shall seek additional funds for the purposes of this
26 subsection. The department must apply to the department of ecology
27 for additional competitive grants funds available from Volkswagen
28 settlement funds for the purposes of this subsection and report by
29 December 1, 2023, on the status of the grant application.

30 (5) \$64,062,000 of the carbon emissions reduction account—state
31 appropriation is provided solely for the conversion of two Jumbo Mark
32 II vessels to electric hybrid propulsion and the electrification of
33 the Clinton, Seattle, Bainbridge, Kingston, and Bremerton terminals
34 (L4000072).

35 (6) \$46,818,000 of the capital vessel replacement account—state
36 appropriation is provided solely for the acquisition of a 144-car
37 hybrid-electric vessel (L2000329). If chapter . . . (House Bill No.
38 1846), Laws of 2023 (vessel procurement) is not enacted by June 30,
39 2023, the amount provided in this subsection lapses.

1 (7) \$17,114,000 of the move ahead WA account—state appropriation
2 is provided solely for the preservation of the MV Tillikum.

3 (8) The department must provide a report to the governor and the
4 transportation committees of the legislature by October 1, 2023,
5 which reviews the benefits and costs of constructing all future new
6 vessels based on the same design. For comparison purposes, the review
7 must compare and contrast the benefits and costs of a 144-vehicle
8 capacity vessel with a 124-vehicle capacity vessel.

9 (9) \$8,032,000 of the Puget Sound capital construction account—
10 state appropriation is provided solely for modernization of the
11 ticketing and reservation system (990052C). \$3,032,000 of the total
12 amount must be held in unallotted status by the office of financial
13 management. The funds may be allotted when the office of financial
14 management determines, after consulting with the transportation
15 committees of the legislature, that the Washington state ferries has
16 consulted with the office of the chief information officer on the
17 project scope and integration capabilities of the reservation system
18 with existing Good to Go! and ORCA next generation.

19 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **RAIL—PROGRAM Y—CAPITAL**

21 Carbon Emissions Reduction Account—State	
22 Appropriation.	\$78,300,000
23 Essential Rail Assistance Account—State	
24 Appropriation.	\$676,000
25 Move Ahead WA Flexible Account—State Appropriation. . . .	\$35,000,000
26 Transportation Infrastructure Account—State	
27 Appropriation.	\$2,399,000
28 Multimodal Transportation Account—State	
29 Appropriation.	\$60,729,000
30 Multimodal Transportation Account—Federal	
31 Appropriation.	\$18,882,000
32 TOTAL APPROPRIATION.	\$195,986,000

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

35 (1) Except as provided otherwise in this section, the entire
36 appropriations in this section are provided solely for the projects
37 and activities as listed by project and amount in LEAP Transportation

1 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -
2 Rail Program (Y).

3 (2) \$2,030,000 of the transportation infrastructure account—state
4 appropriation is provided solely for new low-interest loans approved
5 by the department through the freight rail investment bank (FRIB)
6 program. The department shall issue FRIB program loans with a
7 repayment period of no more than ten years, and charge only so much
8 interest as is necessary to recoup the department's costs to
9 administer the loans. The department shall report annually to the
10 transportation committees of the legislature and the office of
11 financial management on all FRIB loans issued.

12 (3) \$7,040,000 of the multimodal transportation account—state
13 appropriation is provided solely for new statewide emergent freight
14 rail assistance projects identified in the LEAP transportation
15 document referenced in subsection (1) of this section.

16 (4) \$369,000 of the transportation infrastructure account—state
17 appropriation and \$1,100,000 of the multimodal transportation account
18 —state appropriation are provided solely to reimburse Highline Grain,
19 LLC (L2000179) for approved work completed on Palouse River and
20 Coulee City (PCC) railroad track in Spokane county between the BNSF
21 Railway Interchange at Cheney and Geiger Junction and must be
22 administered in a manner consistent with freight rail assistance
23 program projects. The value of the public benefit of this project is
24 expected to meet or exceed the cost of this project in: Shipper
25 savings on transportation costs; jobs saved in rail-dependent
26 industries; and/or reduced future costs to repair wear and tear on
27 state and local highways due to fewer annual truck trips (reduced
28 vehicle miles traveled). The amounts provided in this subsection are
29 not a commitment for future legislatures, but it is the legislature's
30 intent that future legislatures will work to approve biennial
31 appropriations until the full \$7,337,000 cost of this project is
32 reimbursed.

33 (5)(a) \$576,000 of the essential rail assistance account—state
34 appropriation is provided solely for the purpose of the
35 rehabilitation and maintenance of the Palouse river and Coulee City
36 railroad line (F01111B).

37 (b) Expenditures from the essential rail assistance account—state
38 in this subsection may not exceed the combined total of:

1 (i) Revenues and transfers deposited into the essential rail
2 assistance account from leases and sale of property relating to the
3 Palouse river and Coulee City railroad;

4 (ii) Revenues from trackage rights agreement fees paid by
5 shippers; and

6 (iii) Revenues and transfers transferred from the miscellaneous
7 program account to the essential rail assistance account, pursuant to
8 RCW 47.76.360, for the purpose of sustaining the grain train program
9 by maintaining the Palouse river and Coulee City railroad.

10 (6) The department shall issue a call for projects for the
11 freight rail assistance program, and shall evaluate the applications
12 in a manner consistent with past practices as specified in section
13 309, chapter 367, Laws of 2011. By November 15, 2024, the department
14 shall submit a prioritized list of recommended projects to the office
15 of financial management and the transportation committees of the
16 legislature.

17 (7) \$50,000,000 of the carbon emissions reduction account—state
18 appropriation is provided solely for state match contributions to
19 support the department's application for pending federal grant
20 opportunities for a new ultra high-speed ground transportation
21 corridor. These funds are to remain in unallotted status and are
22 available only upon award of federal funds. The department must
23 provide draft applications for federal grant opportunities to the
24 transportation committees of the legislature for review and comment
25 prior to submission. It is assumed that, of the amounts appropriated
26 in this subsection, only \$20,000,000 will be needed in the 2023-2025
27 biennium.

28 (8) \$6,300,000 of the carbon emissions reduction account—state
29 appropriation is provided solely to fund a zero emissions drayage
30 truck demonstration project (L1000324) at Northwest Seaport Alliance
31 facilities.

32 (9) \$14,000,000 of the carbon emissions reduction account—state
33 appropriation is provided solely to fund a zero emissions shore power
34 infrastructure demonstration project at Northwest Seaport Alliance
35 facilities (L1000325). Local funds sufficient to fully fund this
36 project must be contributed to the project, and any agreements
37 required for the project must be secured.

38 (10) \$3,000,000 of the carbon emissions reduction account—state
39 appropriation is provided solely to fund a zero emissions

1 electrification project at the Port of Everett (L1000326), to include
2 the electrification of a pier at the port and funding for an all-
3 electric powered tug and barge. Local funds for the electric powered
4 tug and pier must be contributed to the project, and any agreements
5 required for the project must be secured.

6 (11) \$5,000,000 of the carbon emissions reduction account—state
7 appropriation is provided solely to fund the replacement of two
8 Tacoma rail diesel-electric switcher locomotives with zero emissions
9 battery-electric switcher locomotives and to install on-site charging
10 equipment at a Tacoma rail facility (L1000327). Local funds
11 sufficient to fully fund this project must be contributed to the
12 project, and any agreements required for the project must be secured.

13 (12) \$12,316,000 of the multimodal transportation account—state
14 appropriation is provided solely for the port of Moses Lake project
15 (L1100080) to reconnect rail service by constructing a new five-mile
16 rail line along the Wheeler industrial corridor and rehabilitating
17 three miles of existing rail line.

18 (13) \$2,200,000 of the multimodal transportation account—state
19 appropriation is provided solely for the grade separation at Bell
20 Road project (L1000329) for a grade separation overpass along SR 548
21 to connect the communities of Birch Bay and Semiahmoo to downtown
22 Blaine and I-5.

23 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**

24 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

25	Carbon Emissions Reduction Account—State	
26	Appropriation.	\$16,000,000
27	Climate Active Transportation Account—State	
28	Appropriation.	\$147,463,000
29	Freight Mobility Investment Account—State	
30	Appropriation.	\$21,098,000
31	Freight Mobility Multimodal Account—State	
32	Appropriation.	\$22,728,000
33	Highway Infrastructure Account—State Appropriation.	\$793,000
34	Highway Infrastructure Account—Federal Appropriation.	\$1,600,000
35	Move Ahead WA Account—State Appropriation.	\$110,167,000
36	Move Ahead WA Flexible Account—State Appropriation.	\$15,000,000
37	Transportation Partnership Account—State	
38	Appropriation.	\$500,000

1	Motor Vehicle Account—State Appropriation.	\$35,370,000
2	Motor Vehicle Account—Federal Appropriation.	\$57,127,000
3	Connecting Washington Account—State Appropriation. . . .	\$97,228,000
4	Multimodal Transportation Account—State	
5	Appropriation.	\$73,329,000
6	TOTAL APPROPRIATION.	\$598,403,000

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

9 (1) Except as provided otherwise in this section, the entire
10 appropriations in this section are provided solely for the projects
11 and activities as listed by project and amount in LEAP Transportation
12 Document 2023-2 ALL PROJECTS as developed March 26, 2023, Program -
13 Local Programs Program (Z), and \$300,000 of the climate active
14 transportation account—state is provided solely for the Mountains to
15 Sound Greenway trail, and \$3,000,000 of the move ahead Washington
16 flexible account—state appropriation is provided solely for the
17 Bradley Road Safe Routes Pedestrian Improvements project.

18 (2) The amounts identified in the LEAP transportation document
19 referenced under subsection (1) of this section for pedestrian
20 safety/safe routes to school are as follows:

21 (a) (i) \$34,673,000 of the multimodal transportation account—state
22 appropriation and \$37,563,000 of the climate active transportation
23 account—state appropriation are provided solely for pedestrian and
24 bicycle safety program projects (L2000188). The department must give
25 the same weight to equity and safety criteria in the selection of
26 pedestrian and bicycle safety projects.

27 (ii) The state route 99/Aurora Avenue North Planning Study funded
28 in this subsection (2) (a) must prioritize designs that ensure slow
29 vehicle speeds and systematic improvement to the quality of
30 multimodal access, and must be fully completed by September 30, 2023,
31 in order to ensure construction of improvements begin no later than
32 March 1, 2024.

33 (b) \$19,137,000 of the motor vehicle account—federal
34 appropriation, \$12,844,000 of the multimodal transportation account—
35 state appropriation, and \$38,915,000 of the climate active
36 transportation account—state appropriation are provided solely for
37 safe routes to school projects (L2000189). The department must give
38 the same weight to equity and safety criteria in the selection of
39 pedestrian and bicycle safety projects. The department may consider

1 the special situations facing high-need areas, as defined by schools
2 or project areas in which the percentage of the children eligible to
3 receive free and reduced-price meals under the national school lunch
4 program is equal to, or greater than, the state average as determined
5 by the department, when evaluating project proposals against
6 established funding criteria while ensuring continued compliance with
7 federal eligibility requirements.

8 (3) \$25,000,000 of the climate active transportation account—
9 state appropriation is provided solely for connecting communities
10 projects (L1000308).

11 (4) \$16,800,000 of the climate active transportation account—
12 state appropriation is provided solely for the school-based bike
13 safety education program (L1000309).

14 (5) The department shall submit a report to the transportation
15 committees of the legislature by December 1, 2023, and December 1,
16 2024, on the status of projects and programs funded as part of the
17 bicycle and pedestrian safety/safe routes to school grant program,
18 connecting communities program, and school-based bike safety
19 education program. The report must include, but is not limited to, a
20 list of projects selected and a brief description of each project's
21 status. In its December 1, 2023, report the department must also
22 include recommended changes to the pedestrian safety/safe routes to
23 school grant program application and selection processes to increase
24 utilization by a greater diversity of jurisdictions.

25 (6) \$15,786,000 of the multimodal transportation account—state
26 appropriation is provided solely for connecting Washington bicycle
27 and pedestrian projects listed in the LEAP transportation document
28 referenced in subsection (1) of this section.

29 (7) \$28,885,000 of the climate active transportation account—
30 state appropriation is provided solely for move ahead WA bicycle and
31 pedestrian projects listed in the LEAP transportation document
32 referenced in subsection (1) of this section.

33 (a) It is the intent of the legislature that \$50,000,000 will be
34 provided to the Seattle department of transportation to implement
35 Aurora Avenue North Safety Improvements (L4000154). Under this
36 program, the Seattle department of transportation will be required to
37 implement strategic transportation investments for the Aurora Ave N
38 Corridor from N 90th St to N 105th St that ensure slow vehicle
39 speeds, walkability, multimodal mobility, safe routes to local

1 schools, and safety for residents, which will demonstrate the
2 benefits of similar transportation investments for other locations
3 along Aurora Avenue and elsewhere. The Seattle department of
4 transportation must convene a neighborhood oversight board consisting
5 of residents of communities of the Aurora Ave N Corridor to
6 prioritize investments and monitor project implementation. The
7 oversight board should be composed of an equitable representation of
8 local communities along the Aurora Ave N Corridor, including
9 residents with disabilities. The Seattle department of transportation
10 will ensure that the oversight board is consulted on a bimonthly
11 basis during the prioritization process.

12 (b) The legislature intends, upon completion of the State Route
13 99/Aurora Avenue North Planning Study, that projects recommended in
14 the study will be funded by this program. A specific focus must be on
15 access management to consolidate driveways and improve safety for
16 vulnerable users. This work must also include installation of full
17 curb and sidewalks to improve safety, mobility, transit ridership,
18 equity, and work towards the goals set forth in vision zero, target
19 zero, and the Washington state active transportation plan. The
20 Seattle department of transportation must ensure the design and
21 implementation of an accessible sidewalk network to support users
22 with mobility limitations, convenient and accessible transit stops,
23 all-ages-and-abilities bicycle facilities, and safe pedestrian-
24 activated crosswalks that puts safety over speed, balances the needs
25 of different modes, reduces the level of traffic stress experienced
26 by pedestrians and cyclists, connects to existing bicycle and transit
27 networks, creates safe walking and bicycling routes to local schools
28 including crosswalks, improves human and environmental health, and
29 supports the surrounding neighborhoods. The Seattle department of
30 transportation must coordinate with the Washington state department
31 of transportation and King county metro in implementing the
32 investments.

33 (8) \$14,000,000 of the carbon emissions reduction account—state
34 appropriation is provided solely for the Guemes ferry boat
35 replacement project (all electric) (L4000124).

36 (9) \$4,000,000 of the move ahead WA account—state appropriation
37 is provided solely for the department to establish a reducing rural
38 roadway departures program (L2021122) to provide funding for safety
39 improvements specific to preventing lane departures in areas where
40 the departure is likely to cause serious injuries or death.

1 (10) \$121,860,000 of the move ahead WA account—state
2 appropriation and \$12,000,000 of the move ahead WA flexible account—
3 state appropriation are provided solely for move ahead local road
4 projects listed in the LEAP transportation document referenced in
5 subsection (1) of this section.

6 (a) \$21,000,000 of the move ahead Washington account—state
7 appropriation is provided solely for three roundabouts to be
8 constructed on SR 507 in partnership with local authorities. The
9 roundabout at Vail is with Thurston county. The roundabout at Bald
10 Hills is with the city of Yelm, and the roundabout at SR 702 is with
11 Pierce county. The department is to work cooperatively with each
12 local jurisdiction to construct these facilities within WSDOT rights-
13 of-way. The department must provide all project predesign and design
14 information developed to date to the local jurisdictions and have a
15 project implementation agreement in place with each local
16 jurisdiction within 180 calendar days of the enactment of this act.
17 The implementation agreement may provide full control for the local
18 authority to construct the project. Once the roundabouts are
19 completed, the operations and maintenance of the roundabout are the
20 responsibility of the department.

21 (b) It is the intent of the legislature that \$25,000,000 will be
22 provided as part of the move ahead WA investment package in a future
23 biennium, as indicated on the list identified in subsection (1) of
24 this section, for the Ballard and Magnolia bridge project (L4000123).
25 As part of the project, the Seattle department of transportation must
26 consult with an independent engineering firm to verify that the costs
27 for the type, size, and location preliminary design report (TS&L),
28 environmental impact statement (EIS), and 60 percent design work are
29 within industry cost range standards in advance of moving forward
30 with construction. The Seattle department of transportation must
31 ensure that funds are maximized by limiting the percentage for TS&L,
32 EIS, and 60 percent design work to 10 percent of the total cost of
33 the project. Of the \$25,000,000, \$12,500,000 must remain in
34 unallotted status, and may be distributed to the Seattle department
35 of transportation only upon determination by the office of financial
36 management that the Seattle department of transportation's cost
37 estimates have been verified by an independent engineering firm as
38 within industry cost range standards, and the Seattle department of

1 transportation has secured the additional matching funding needed to
2 complete the TS&L, EIS, and 60 percent design work.

3 (11) \$36,640,000 of the motor vehicle account—federal
4 appropriation is provided solely for acceleration of local
5 preservation projects that ensure the reliable movement of freight on
6 the national highway freight system (G2000100). The department will
7 select projects as part of its update of the state freight plan, in
8 consultation with the freight mobility strategic investment board and
9 other stakeholders.

10 (12) \$100,000 of the multimodal transportation account—state
11 appropriation is provided solely for a grant to the Northwest Seaport
12 Alliance (NWSA) to lead the creation and coordination of a
13 multistakeholder zero emissions truck collaborative that will: (a)
14 Facilitate the development and implementation of one or more zero-
15 emissions drayage truck demonstration projects in Washington state;
16 and (b) develop a roadmap for transitioning the entire fleet of
17 approximately 4,500 drayage trucks that serve the NWSA cargo gateway
18 to zero-emissions vehicles by 2050 or sooner.

19 (13) \$21,098,000 of the freight mobility investment account—state
20 appropriation and \$22,728,000 of the freight mobility multimodal
21 account—state appropriation are provided solely for freight mobility
22 strategic investment projects listed in the LEAP transportation
23 document referenced in subsection (1) of this section.

24 (14) \$25,000,000 of the motor vehicle account—state appropriation
25 is provided solely for a federal fund exchange pilot program. The
26 pilot program will allow exchanges of federal surface transportation
27 block grant population funding and state funds at an exchange rate of
28 \$1.00 in state funds per \$1.00 in federal funds. The entirety of the
29 appropriation in this subsection shall be held in unallotted status
30 until surface transportation block grant population funding has been
31 offered to the state, the department determines that a federalized
32 project or projects funded in sections 305 (Improvements) or 306
33 (Preservation) is eligible to spend the surface transportation block
34 grant population funding, and state funds appropriated in sections
35 305 (Improvements) or 306 (Preservation) for the eligible state
36 project or projects in an amount equal to 100 percent of the offered
37 surface transportation block grant population funding have been
38 placed in unallotted status. A report on the effectiveness of the
39 exchange program and recommendations for continuing the pilot program

1 is due to the governor and transportation committees of the
2 legislature by December 1, 2024.

3 (15) \$4,150,000 of the motor vehicle account—state appropriation
4 is provided solely for matching funds for federal funds to
5 reconstruct Grant county and Adams county bridges as part of the
6 Odessa groundwater replacement program.

7 (16) (a) For fiscal year 2025, \$2,000,000 of the carbon emissions
8 reduction account—state appropriation is provided solely for the
9 department to establish an e-bike lending library and ownership grant
10 program. The department may accept grant applications from other
11 state entities, local governments, and tribes that administer or plan
12 to administer an e-bike lending library or ownership program for
13 their employees for commute trip reduction purposes. The department
14 may also accept grant applications from nonprofit organizations or
15 tribal governments that serve persons who are low-income or reside in
16 overburdened communities and that administer or plan to administer an
17 e-bike lending library or ownership program for qualifying persons.
18 Grant recipients must report program information and participation
19 data to the University of Washington to inform its report described
20 under (b) of this subsection.

21 (b) Of the amounts provided in this section, \$90,000 is for the
22 department to contract with the University of Washington's
23 sustainable transportation lab to publish a general policy brief that
24 provides innovative e-bike rebate and lending library or ownership
25 grant program models and recommendations, and a report on program
26 information and data collected under the e-bike lending library and
27 ownership grant program established in (a) of this subsection. An
28 initial brief and report must be submitted to the transportation
29 committees of the legislature by January 1, 2024, with the final
30 policy brief and report due to the transportation committees of the
31 legislature by January 1, 2025.

32 (c) The department may not collect more than five percent of
33 appropriated amounts to administer the programs under (a) of this
34 subsection.

35 (17) \$9,240,000 of the connecting Washington account—state
36 appropriation is provided solely for the Aberdeen US 12 highway-rail
37 separation project.

1 (18) \$750,000 of the motor vehicle account—state appropriation is
2 provided solely for the Grady Way overpass at Rainier Avenue South
3 I-405 BRT Access study.

4 NEW SECTION. **Sec. 311. ANNUAL REPORTING REQUIREMENTS FOR**
5 **CAPITAL PROGRAM**

6 (1) As part of its annual budget submittal, the department of
7 transportation shall provide an update to the report provided to the
8 legislature in the prior fiscal year that: (a) Compares the original
9 project cost estimates approved in the 2003, 2005, and 2015 revenue
10 package project lists to the completed cost of the project, or the
11 most recent legislatively approved budget and total project costs for
12 projects not yet completed; (b) identifies highway projects that may
13 be reduced in scope and still achieve a functional benefit; (c)
14 identifies highway projects that have experienced scope increases and
15 that can be reduced in scope; (d) identifies highway projects that
16 have lost significant local or regional contributions that were
17 essential to completing the project; (e) identifies risk reserves and
18 contingency amounts allocated to projects; and (f) lists the nickel,
19 TPA, and connecting Washington projects charging to the
20 Nickel/TPA/CWA Environmental Mitigation Reserve (0BI4ENV) and the
21 Nickel/TPA Projects Completed with Minor Ongoing Expenditures project
22 (0BI100B), and the amount each project is charging.

23 (2) As part of its annual budget submittal, the department of
24 transportation shall provide: (a) An annual report on the number of
25 toll credits the department has accumulated and how the department
26 has used the toll credits, and (b) a status report on the projects
27 funded using federal national highway freight program funds.

28 NEW SECTION. **Sec. 312. QUARTERLY REPORTING REQUIREMENTS FOR**
29 **CAPITAL PROGRAM**

30 On a quarterly basis, the department of transportation shall
31 provide to the office of financial management and the legislative
32 transportation committees a report for all capital projects, except
33 for ferry projects subject to the reporting requirements established
34 in section 309 of this act, that must include:

35 (1) A TEIS version containing actual capital expenditures for all
36 projects consistent with the structure of the most recently enacted
37 budget;

1 (2) Anticipated cost savings, cost increases, reappropriations,
2 and schedule adjustments for all projects consistent with the
3 structure of the most recently enacted budget;

4 (3) The award amount, the engineer's estimate, and the number of
5 bidders for all active projects consistent with the structure of the
6 most recently enacted budget; and

7 (4) Risk reserves and contingency amounts for all projects
8 consistent with the structure of the most recently enacted budget.

9 NEW SECTION. **Sec. 313. FEDERAL FUNDS RECEIVED FOR CAPITAL**
10 **PROJECT EXPENDITURES**

11 To the greatest extent practicable, the department of
12 transportation shall expend federal funds received for capital
13 project expenditures before state funds.

14 NEW SECTION. **Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND**
15 **CANCELLATIONS**

16 (1) The department shall notify the transportation committees of
17 the legislature when it intends to pause for a significant length of
18 time or not proceed with operating items or capital projects included
19 as budget provisos or on project lists. When feasible, this
20 notification shall be provided prior to the pause or cancellation and
21 at least seven days in advance of any public announcement related to
22 such a pause or cancellation.

23 (2) At the time of notification, the department shall provide an
24 explanation for the reason or reasons for the pause or cancellation
25 for each operating budget item and capital project. The explanation
26 shall include specific reasons for each pause or cancellation, in
27 addition to a statement of the broad rationale for the pause or
28 cancellation.

29 (3) When feasible, the department shall make best efforts to keep
30 the transportation committees of the legislature informed of an
31 evaluation process underway for selecting operating budget items and
32 capital projects to be paused or canceled, providing updates as its
33 selection efforts proceed.

34 (4) When exigent circumstances prevent prior notice of a pause or
35 cancellation from being provided to the transportation committees of
36 the legislature, the department shall provide the information
37 required under this section to the transportation committees of the
38 legislature as soon as is practicable.

1 NEW SECTION. **Sec. 315. FOR THE WASHINGTON STATE DEPARTMENT OF**
2 **TRANSPORTATION—FUNDS MANAGEMENT**

3 (1) As part of the department of transportation's 2025-2027
4 biennial budget request, the department shall provide an overview of
5 capital funds management challenges and recommendations for funds
6 management strategies that would improve the likelihood of increasing
7 performance associated with the following outcomes:

8 (a) Streamlined delivery of the department's capital program and
9 local government capital projects;

10 (b) Increased likelihood that federal funds are committed and
11 used prior to debt backed capital resources;

12 (c) Reduced overall time and cost of administrative efforts of
13 the department and local governments;

14 (d) Ensured federal government contributions regarding its share
15 toward overhead costs;

16 (e) Increased disadvantaged business enterprise program
17 participation and/or funding;

18 (f) Maximized amount of federal redistributed and grant funding
19 received by the state, including how to position the state for
20 providing state matching funds for federal grant opportunities;

21 (g) Increased clarity on how federal funds are administered;

22 (h) Identification of opportunities to leverage current and
23 future toll credits secured by the state; and

24 (i) Minimized risk of audit findings related to federal funds.

25 (2) The department may provide recommendations on the
26 transportation appropriations act structure and project list
27 amendments to most efficiently utilize state and federal capital
28 funds.

29 (3) As part of the department's 2023-2025 biennial budget
30 request, the department shall also report on:

31 (a) The federal grant programs it has applied for;

32 (b) The federal competitive grant programs it could have applied
33 for but did not and the reason or reasons it did not apply; and

34 (c) The potential to use a federal fund exchange program to most
35 efficiently use state and local federal funds.

(End of part)

1 Motor Vehicle Account—State Appropriation: For motor
 2 vehicle fuel tax statutory distributions to
 3 cities and counties. \$465,354,000
 4 Multimodal Transportation Account—State
 5 Appropriation: For distribution to cities and
 6 counties. \$26,786,000
 7 Motor Vehicle Account—State Appropriation: For
 8 distribution to cities and counties. \$23,438,000

9 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

10 Motor Vehicle Account—State Appropriation: For motor
 11 vehicle fuel tax refunds and statutory
 12 transfers. \$1,969,182,000

13 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
 14 **TRANSFERS**

15 Motor Vehicle Account—State Appropriation: For motor
 16 vehicle fuel tax refunds and transfers. \$246,480,000

17 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
 18 **TRANSFERS**

19 (1) Highway Safety Account—State Appropriation:
 20 For transfer to the State Patrol Highway
 21 Account—State. \$143,000,000

22 (2) Transportation Partnership Account—State
 23 Appropriation: For transfer to the Motor Vehicle
 24 Account—State. \$118,000,000

25 (3) (a) Transportation Partnership Account—State
 26 Appropriation: For transfer to the Tacoma Narrows
 27 Toll Bridge Account—State. \$6,611,000

28 (b) It is the intent of the legislature that this transfer is
 29 temporary, for the purpose of minimizing the impact of toll
 30 increases. An equivalent reimbursing transfer is to occur after the
 31 debt service and deferred sales tax on the Tacoma Narrows bridge
 32 construction costs are fully repaid in accordance with chapter 195,
 33 Laws of 2018.

34 (4) Motor Vehicle Account—State Appropriation:
 35 For transfer to the County Arterial Preservation
 36 Account—State. \$4,844,000

1 (5) Motor Vehicle Account—State Appropriation:
 2 For transfer to the Freight Mobility Investment
 3 Account—State. \$8,511,000
 4 (6) Motor Vehicle Account—State Appropriation:
 5 For transfer to the Rural Arterial Trust Account—State. . . \$4,844,000
 6 (7) Motor Vehicle Account—State Appropriation:
 7 For transfer to the Transportation Improvement
 8 Account—State. \$9,688,000
 9 (8) (a) State Route Number 520 Civil Penalties
 10 Account—State Appropriation: For transfer to the
 11 Motor Vehicle Account—State. \$1,000,000
 12 (b) The transfer in this subsection is to repay moneys loaned to
 13 the state route number 520 civil penalties account in the 2019-2021
 14 fiscal biennium.
 15 (9) Capital Vessel Replacement Account—State
 16 Appropriation: For transfer to the Connecting
 17 Washington Account—State. \$25,000,000
 18 (10) (a) Capital Vessel Replacement Account—State
 19 Appropriation: For transfer to the Transportation
 20 Partnership Account—State. \$500,000
 21 (b) The amount transferred in this subsection represents
 22 repayment of debt service incurred for the construction of the Hybrid
 23 Electric Olympic Class (144-auto) Vessel #5 project (L2000329).
 24 (11) Multimodal Transportation Account—State
 25 Appropriation: For transfer to the Complete Streets
 26 Grant Program Account—State. \$14,670,000
 27 (12) Multimodal Transportation Account—State
 28 Appropriation: For transfer to the Highway Safety
 29 Account—State. \$65,000,000
 30 (13) Multimodal Transportation Account—State
 31 Appropriation: For transfer to the Freight Mobility
 32 Multimodal Account—State. \$8,511,000
 33 (14) Multimodal Transportation Account—State
 34 Appropriation: For transfer to the Motor Vehicle
 35 Account—State. \$90,000,000
 36 (15) Multimodal Transportation Account—State
 37 Appropriation: For transfer to the Puget Sound Ferry
 38 Operations Account—State. \$40,000,000
 39 (16) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Puget Sound
2 Capital Construction Account—State. \$147,000,000
3 (17) Multimodal Transportation Account—State
4 Appropriation: For transfer to the Regional Mobility
5 Grant Program Account—State. \$27,679,000
6 (18) Multimodal Transportation Account—State
7 Appropriation: For transfer to the Rural Mobility
8 Grant Program Account—State. \$12,223,000
9 (19) (a) Alaskan Way Viaduct Replacement Project
10 Account—State Appropriation: For transfer to the
11 Transportation Partnership Account—State. \$22,899,000
12 (b) The amount transferred in this subsection represents
13 repayment of debt service incurred for the construction of the SR 99/
14 Alaskan Way Viaduct Replacement project (809936Z).
15 (20) Tacoma Narrows Toll Bridge Account—State
16 Appropriation: For transfer to the Motor Vehicle
17 Account—State. \$543,000
18 (21) Puget Sound Ferry Operations Account—State
19 Appropriation: For transfer to the Puget Sound
20 Capital Construction Account—State. \$121,828,000
21 (22) Transportation 2003 Account (Nickel)—State
22 Appropriation: For transfer to the Motor Vehicle
23 Account—State. \$35,000,000
24 (23) Connecting Washington Account—State
25 Appropriation: For transfer to the Move Ahead WA
26 Account—State. \$250,000,000
27 (24) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Move Ahead WA
29 Flexible Account—State. \$11,790,000
30 (25) Carbon Emissions Reduction Account—State
31 Appropriation: For transfer to the Climate Active
32 Transportation Account—State. \$160,230,000
33 (26) Carbon Emissions Reduction Account—State
34 Appropriation: For transfer to the Climate Transit
35 Programs Account—State. \$385,502,000
36 (27) Move Ahead WA Flexible Account—State
37 Appropriation: For transfer to the Puget Sound Ferry
38 Operations Account—State. \$132,000,000
39 (28) Alaskan Way Viaduct Replacement Project

1 Account—State Appropriation: For transfer to the
 2 Motor Vehicle Account—State. \$16,000,000
 3 (29) Electric Vehicle Account—State
 4 Appropriation: For transfer to the Move Ahead WA
 5 Flexible Account—State. \$33,300,000

6 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT**
 7 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 8 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

9 Toll Facility Bond Retirement Account—Federal
 10 Appropriation. \$194,241,000
 11 Toll Facility Bond Retirement Account—State
 12 Appropriation. \$25,372,000
 13 TOTAL APPROPRIATION. \$219,613,000

14 NEW SECTION. **Sec. 408. FOR THE OFFICE OF FINANCIAL MANAGEMENT—**
 15 **CENTRAL CHARGES**

16 Pilotage Account—State Appropriation \$24,000
 17 State Patrol Highway Account—State Appropriation \$5,590,000
 18 Motorcycle Safety Education Account—State Appropriation \$14,000
 19 Freight Mobility Investment Account—State Appropriation. \$7,000
 20 Limited Fish and Wildlife Account—State Appropriation. \$6,000
 21 Highway Safety Account—State Appropriation \$2,956,000
 22 Highway Safety Account—Federal Appropriation \$34,000
 23 Motor Vehicle Account—State Appropriation \$20,587,000
 24 Transportation Improvement Account—State Appropriation \$65,000
 25 Ignition Interlock Device Revolving Account—State
 26 Appropriation \$12,000
 27 Department of Licensing Services Account—State
 28 Appropriation \$265,000
 29 Multimodal Transportation Account—State Appropriation \$1,626,000
 30 TOTAL APPROPRIATION. \$31,186,000

31 The appropriations in this section are subject to the following
 32 conditions and limitations: The appropriations are provided solely
 33 for allocation to state agencies for central charges.

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
3 **IMPAIRED**

4 Nothing in this act prohibits the expenditure of any funds by an
5 agency or institution of the state for benefits guaranteed by any
6 collective bargaining agreement in effect on the effective date of
7 this section.

8 NEW SECTION. **Sec. 502. COLLECTIVE BARGAINING AGREEMENTS**

9 In accordance with chapters 41.80, 41.56, and 47.64 RCW,
10 agreements have been reached between the governor and employee
11 organizations representing state employee bargaining units for the
12 2023-2025 fiscal biennium. Funding is provided in this act to fund
13 these agreements. The collective bargaining agreements that have been
14 reached and are funded in this act, and the description of the major
15 economic terms in each of the listed agreements are specified in OFM
16 transportation document 2023-5: 2023-2025 Collective Bargaining
17 Agreements as developed December 14, 2022.

18 NEW SECTION. **Sec. 503. COMPENSATION—REPRESENTED EMPLOYEES—**
19 **HEALTH CARE—COALITION—INSURANCE BENEFITS**

20 An agreement was reached for the 2023-2025 biennium between the
21 governor and the health care coalition under the provisions of
22 chapter 41.80 RCW. Appropriations in this act for state agencies are
23 sufficient to implement the provisions of the 2023-2025 collective
24 bargaining agreement, which maintains the provisions of the prior
25 agreement, and are subject to the following conditions and
26 limitations:

27 (1) The monthly employer funding rate for insurance benefit
28 premiums, public employees' benefits board administration, and the
29 uniform medical plan, shall not exceed \$1,130 per eligible employee
30 for fiscal year 2024. For fiscal year 2025, the monthly employer
31 funding rate shall not exceed \$1,184 per eligible employee. These
32 rates include funding to cover, effective January 1, 2024: (a)
33 Increased provider payments in the uniform medical plan for in-
34 network advanced registered nurse practitioners (ARNPs) to have
35 parity with a licensed in-network physician for the same services
36 rendered, (b) increasing the temporomandibular (TMJ) benefit to
37 \$1,000 annually/\$5,000 lifetime in the uniform dental plan, and (c)

1 eliminating the deductible for children up to age 15 in the uniform
2 dental plan. These rates are sufficient to cover, effective January
3 1, 2025, carving vision benefits out medical plans into stand-alone
4 vision insurance.

5 (2) The board shall collect a \$25 per month surcharge payment
6 from members who use tobacco products and a surcharge payment of not
7 less than \$50 per month from members who cover a spouse or domestic
8 partner where the spouse or domestic partner has chosen not to enroll
9 in another employer-based group health insurance that has benefits
10 and premiums with an actuarial value of not less than 95 percent of
11 the actuarial value of the public employees' benefits board plan with
12 the largest enrollment. The surcharge payments shall be collected in
13 addition to the member premium payment if directed by the
14 legislature.

15 NEW SECTION. **Sec. 504. COMPENSATION—REPRESENTED EMPLOYEES**
16 **OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

17 Appropriations for state agencies in this act are sufficient for
18 represented employees outside the coalition for health benefits, and
19 are subject to the following conditions and limitations: The monthly
20 employer funding rate for insurance benefit premiums, public
21 employees' benefits board administration, and the uniform medical
22 plan, may not exceed \$1,130 per eligible employee for fiscal year
23 2024. For fiscal year 2025, the monthly employer funding rate may not
24 exceed \$1,184 per eligible employee.

25 NEW SECTION. **Sec. 505. COMPENSATION—NONREPRESENTED EMPLOYEES—**
26 **INSURANCE BENEFITS**

27 Appropriations for state agencies in this act are sufficient for
28 nonrepresented state employee health benefits for state agencies,
29 including institutions of higher education, and are subject to the
30 following conditions and limitations: The employer monthly funding
31 rate for insurance benefit premiums, public employees' benefits board
32 administration, and the uniform medical plan, shall not exceed \$1,130
33 per eligible employee for fiscal year 2024. For fiscal year 2025, the
34 monthly employer funding rate shall not exceed \$1,184 per eligible
35 employee.

1 NEW SECTION. **Sec. 506. GENERAL WAGE INCREASES AND LUMP SUM**
2 **PAYMENTS**

3 (1) Appropriations for state agency employee compensation in this
4 act are sufficient to provide general wage increases, retention lump
5 sum payment and a lump sum COVID-19 booster incentive to state agency
6 employees who are not represented or who bargain under statutory
7 authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or
8 41.56.475.

9 (2) Funding is provided for a four percent general wage increase
10 effective July 1, 2023, for all classified employees as specified in
11 subsection (1) of this section, employees in the Washington
12 management service, and exempt employees under the jurisdiction of
13 the office of financial management. The appropriations are also
14 sufficient to fund a four percent salary increase effective July 1,
15 2023, for executive and legislative branch employees exempt from
16 merit system rules whose maximum salaries are not set by the
17 commission on salaries for elected officials.

18 (3) Funding is provided for a three percent general wage increase
19 effective July 1, 2024, for all classified employees as specified in
20 subsection (1) of this section, employees in the Washington
21 management service, and exempt employees under the jurisdiction of
22 the office of financial management. The appropriations are also
23 sufficient to fund a three percent salary increase effective July 1,
24 2024, for executive and legislative branch employees exempt from
25 merit system rules whose maximum salaries are not set by the
26 commission on salaries for elected officials.

27 (4) Funding is provided for a retention lump sum payment of
28 \$1,000 for all employees as specified in subsection (1) of this
29 section, employed on or before July 1, 2022, and continuously
30 employed through July 1, 2023.

31 (5) Funding is provided for a COVID-19 booster incentive payment
32 of \$1,000 for all employees as specified in subsection (1) of this
33 section, who provide verification, beginning January 1, 2023, through
34 December 31, 2023, that they are up-to-date with the COVID-19 vaccine
35 booster.

36 NEW SECTION. **Sec. 507. COMPENSATION—PENSION CONTRIBUTIONS**

37 Appropriations to state agencies include funding for an increase
38 in pension contribution rates for several state pension systems. An
39 increase of 0.12 percent is funded for state employer contributions

1 to the public employees' retirement system, the public safety
2 employees' retirement systems, and the school employees' retirement
3 system. An increase of 0.23 percent for employer contributions to the
4 teachers' retirement system is funded. These increases are provided
5 for the purpose of a one-time, ongoing pension increase for retirees
6 in the public employees' retirement system plan 1 and teachers'
7 retirement system plan 1, as provided in chapter . . . (Senate Bill
8 No. 5350), Laws of 2023 (providing a benefit increase to certain
9 retirees of the public employees' retirement system plan 1 and the
10 teachers' retirement system plan 1). If chapter . . . (Senate Bill
11 No. 5350), Laws of 2023 (providing a benefit increase to certain
12 retirees of the public employees' retirement system plan 1 and the
13 teachers' retirement system plan 1) is not enacted by June 30, 2023,
14 this section lapses.

15 NEW SECTION. **Sec. 508. COMPENSATION—REVISE PENSION CONTRIBUTION**
16 **RATES**

17 The appropriations in this act for school districts and state
18 agencies, including institutions of higher education, are subject to
19 the following conditions and limitations: Appropriations are adjusted
20 to reflect changes to agency appropriations to reflect pension
21 contribution rates adopted by the pension funding council and the law
22 enforcement officers' and firefighters' retirement system plan 2
23 board.

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 NEW SECTION. **Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN**
3 **THE LEGISLATURE IS NOT IN SESSION**

4 (1) The 2005 transportation partnership projects or improvements
5 and 2015 connecting Washington projects or improvements are listed in
6 the LEAP Transportation Document 2023-1 as developed March 26, 2023,
7 which consists of a list of specific projects by fund source and
8 amount over a 16-year period. Current fiscal biennium funding for
9 each project is a line-item appropriation, while the outer year
10 funding allocations represent a 16-year plan. The department of
11 transportation is expected to use the flexibility provided in this
12 section to assist in the delivery and completion of all
13 transportation partnership account and connecting Washington account
14 projects on the LEAP transportation document referenced in this
15 subsection. For the 2021-2023 project appropriations, unless
16 otherwise provided in this act, the director of the office of
17 financial management may provide written authorization for a transfer
18 of appropriation authority between projects funded with
19 transportation partnership account appropriations or connecting
20 Washington account appropriations to manage project spending and
21 efficiently deliver all projects in the respective program under the
22 following conditions and limitations:

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

25 (b) Transfers from a project may not be made as a result of the
26 reduction of the scope of a project or be made to support increases
27 in the scope of a project;

28 (c) Transfers from a project may be made if the funds
29 appropriated to the project are in excess of the amount needed in the
30 current fiscal biennium;

31 (d) Transfers may not occur for projects not identified on the
32 applicable project list;

33 (e) Transfers to a project may not occur if that project is a
34 programmatic funding item described in broad general terms on the
35 applicable project list without referencing a specific state route
36 number;

37 (f) Transfers may not be made while the legislature is in
38 session;

1 (g) Transfers to a project may not be made with funds designated
2 as attributable to practical design savings as described in RCW
3 47.01.480;

4 (h) Except for transfers made under (l) of this subsection,
5 transfers may only be made in fiscal year 2023;

6 (i) The total amount of transfers under this section may not
7 exceed \$50,000,000;

8 (j) Except as otherwise provided in (l) of this subsection,
9 transfers made to a single project may not cumulatively total more
10 than \$20,000,000 per biennium;

11 (k) Each transfer between projects may only occur if the director
12 of the office of financial management finds that any resulting change
13 will not hinder the completion of the projects as approved by the
14 legislature; and

15 (1) Transfers between projects may be made by the department of
16 transportation without the formal written approval provided under
17 this subsection (1), provided that the transfer amount to a single
18 project does not exceed \$250,000 or 10 percent of the total project
19 per biennium, whichever is less. These transfers must be reported
20 quarterly to the director of the office of financial management and
21 the chairs of the house of representatives and senate transportation
22 committees.

23 (2) The department of transportation must submit quarterly all
24 transfers authorized under this section in the transportation
25 executive information system. The office of financial management must
26 maintain a legislative baseline project list identified in the LEAP
27 transportation documents referenced in this act, and update that
28 project list with all authorized transfers under this section,
29 including any effects to the total project budgets and schedules
30 beyond the current biennium.

31 (3) At the time the department submits a request to transfer
32 funds under this section, a copy of the request must be submitted to
33 the chairs and ranking members of the transportation committees of
34 the legislature.

35 (4) Before approval, the office of financial management shall
36 work with legislative staff of the house of representatives and
37 senate transportation committees to review the requested transfers in
38 a timely manner and address any concerns raised by the chairs and
39 ranking members of the transportation committees.

1 (5) No fewer than 10 days after the receipt of a project transfer
2 request, the director of the office of financial management must
3 provide written notification to the department of any decision
4 regarding project transfers, with copies submitted to the
5 transportation committees of the legislature.

6 (6) The department must submit annually as part of its budget
7 submittal a report detailing all transfers made pursuant to this
8 section, including any effects to the total project budgets and
9 schedules beyond the current biennium.

10 (7) (a) If the department of transportation receives federal
11 funding not appropriated in this act, the department shall apply such
12 funds to any of the following activities in lieu of state funds, if
13 compliant with federal funding restrictions, and in the order that
14 most reduces administrative burden and minimizes the use of bond
15 proceeds:

16 (i) Projects on LEAP Transportation Document 2023-2 ALL PROJECTS
17 as developed March 26, 2023; or

18 (ii) Other department of transportation operating or capital
19 expenditures funded by appropriations from state accounts in this
20 act.

21 (b) However, if the funds received may not be used for any of the
22 purposes enumerated in this section and must be obligated before the
23 next regular legislative session, then the department may program the
24 funds for other transportation-related activities, provided that
25 these actions do not initiate any new programs, policies, or
26 expenditure levels requiring additional one-time or ongoing state
27 funds that have not been expressly authorized by the legislature. The
28 department shall follow the existing unanticipated receipt process to
29 notify the legislative standing committees on transportation and the
30 office of financial management of the amount of federal funds
31 received in addition to those appropriated in this act and the
32 projects or activities receiving funding through this process.

33 (8) This section does not apply to appropriations used to fund
34 projects within the federal fund exchange pilot program authorized in
35 sections 306, 307, and 311 of this act.

36 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

37 To the extent that any appropriation authorizes expenditures of
38 state funds from the motor vehicle account, special category C
39 account, Tacoma Narrows toll bridge account, transportation 2003

1 account (nickel account), transportation partnership account,
2 transportation improvement account, Puget Sound capital construction
3 account, multimodal transportation account, state route number 520
4 corridor account, connecting Washington account, or other
5 transportation capital project account in the state treasury for a
6 state transportation program that is specified to be funded with
7 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
8 legislature declares that any such expenditures made before the issue
9 date of the applicable transportation bonds for that state
10 transportation program are intended to be reimbursed from proceeds of
11 those transportation bonds in a maximum amount equal to the amount of
12 such appropriation.

13 NEW SECTION. **Sec. 603. BELATED CLAIMS**

14 The agencies and institutions of the state may expend moneys
15 appropriated in this act, upon approval of the office of financial
16 management, for the payment of supplies and services furnished to the
17 agency or institution in prior fiscal biennia.

18 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

19 (1) As part of its 2022 supplemental budget submittal, the
20 department of transportation shall provide a report to the
21 legislature and the office of financial management that:

22 (a) Identifies, by capital project, the amount of state funding
23 that has been reappropriated from the 2019-2021 fiscal biennium into
24 the 2021-2023 fiscal biennium; and

25 (b) Identifies, for each project, the amount of cost savings or
26 increases in funding that have been identified as compared to the
27 2017 enacted omnibus transportation appropriations act.

28 (2) As part of the agency request for capital programs, the
29 department shall load reappropriations separately from funds that
30 were assumed to be required for the 2021-2023 fiscal biennium into
31 budgeting systems.

32 NEW SECTION. **Sec. 605. WEBSITE REPORTING REQUIREMENTS**

33 (1) The department of transportation shall post on its website
34 every report that is due from the department to the legislature
35 during the 2021-2023 fiscal biennium on one web page. The department
36 must post both completed reports and planned reports on a single web
37 page.

1 (2) The department shall provide a web link for each change order
2 that is more than \$500,000 on the affected project web page.

3 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
4 **ELEMENTS REPORTING**

5 (1) By November 15th of each year, the department of
6 transportation must report on amounts expended to benefit transit,
7 bicycle, or pedestrian elements within all connecting Washington
8 projects in programs I, P, and Z identified in LEAP Transportation
9 Document 2023-2 ALL PROJECTS as developed March 26, 2023. The report
10 must address each modal category separately and identify if 18th
11 amendment protected funds have been used and, if not, the source of
12 funding.

13 (2) To facilitate the report in subsection (1) of this section,
14 the department of transportation must require that all bids on
15 connecting Washington projects include an estimate on the cost to
16 implement any transit, bicycle, or pedestrian project elements.

17 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

18 (1) During the 2021-2023 fiscal biennium, while the legislature
19 is not in session, the director of the office of financial management
20 may approve project scope change requests to connecting Washington
21 projects in the highway improvements program, provided that the
22 requests meet the criteria outlined in RCW 47.01.480 and are subject
23 to the limitations in this section.

24 (2) At the time the department of transportation submits a
25 request for a project scope change under this section, a copy of the
26 request must be submitted to the transportation committees of the
27 legislature.

28 (3) Before approval, the office of financial management shall
29 work with legislative staff of the house of representatives and
30 senate transportation committees to review the requested project
31 scope changes.

32 (4) No fewer than 10 days after the receipt of a scope change
33 request, the director of the office of financial management must
34 provide written notification to the department of any decision
35 regarding project scope changes, with copies submitted to the
36 transportation committees of the legislature.

37 (5) As part of its annual budget submittal, the department of
38 transportation must report on all approved scope change requests from

1 the prior year, including a comparison of the scope before and after
2 the requested change.

3 NEW SECTION. **Sec. 608. TOLL CREDITS**

4 The department of transportation may provide up to \$5,000,000 in
5 toll credits to Kitsap transit for its role in passenger-only ferry
6 service and ferry corridor-related projects. The number of toll
7 credits provided must be equal to, but no more than, the number
8 sufficient to meet federal match requirements for grant funding for
9 passenger-only ferry service, but must not exceed the amount
10 authorized in this section.

11 NEW SECTION. **Sec. 609. LOCAL PARTNER COOPERATIVE AGREEMENTS**

12 (1) If a transportation project, where the Washington state
13 department of transportation is the lead and the project is scheduled
14 to be delivered or completed in the 2023-2025 biennium as shown on
15 the LEAP Transportation Document 2023-2 ALL PROJECTS as developed
16 March 26, 2023, is in jeopardy of being delayed because the
17 department is unable to deliver or complete the project within the
18 2023-2025 fiscal biennium and other local jurisdictions are able to
19 deliver or complete the work, then the department must coordinate
20 with the appropriate local jurisdictions to determine if a potential
21 local partner is ready, willing, and able to execute delivery and
22 completion of the project within the 2023-2025 biennium.

23 (2) The department must compile a list of projects under this
24 section, including the timing under which the local partner agency
25 can deliver or complete the projects within the 2023-2025 and
26 2025-2027 biennia. The department must submit the compiled list of
27 projects to the governor and the transportation committees of the
28 legislature by November 1, 2023.

(End of part)

NEW SECTION. **Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

(1) Agencies must apply to the office of financial management and the office of the state chief information officer for approval before beginning a project or proceeding with each discrete stage of a project subject to this section. At each stage, the office of the state chief information officer must certify that the project has an approved technology budget and investment plan, complies with state information technology and security requirements, and other policies defined by the office of the state chief information officer. The office of financial management must notify the fiscal committees of the legislature of the receipt of each application and may not approve a funding request for ten business days from the date of notification.

(2) (a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2021-2023 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;
- (iii) Discrete financial budget codes to include at least the appropriation index and program index;
- (iv) Object and subobject codes of expenditures;
- (v) Anticipated deliverables;
- (vi) Historical budget and expenditure detail by fiscal year; and
- (vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

1 (c) If a project technology budget changes and a revised
2 technology budget is completed, a comparison of the revised
3 technology budget to the last approved technology budget must be
4 posted to the dashboard, to include a narrative rationale on what
5 changed, why, and how that impacts the project in scope, budget, and
6 schedule.

7 (3) (a) Each project must have an investment plan that includes:

8 (i) An organizational chart of the project management team that
9 identifies team members and their roles and responsibilities;

10 (ii) The office of the chief information officer staff assigned
11 to the project;

12 (iii) An implementation schedule covering activities, critical
13 milestones, and deliverables at each stage of the project for the
14 life of the project at each agency affected by the project;

15 (iv) Performance measures used to determine that the project is
16 on time, within budget, and meeting expectations for quality of work
17 product;

18 (v) Ongoing maintenance and operations cost of the project post
19 implementation and close out delineated by agency staffing,
20 contracted staffing, and service level agreements; and

21 (vi) Financial budget coding to include at least discrete
22 financial coding for the project.

23 (4) Projects with estimated costs greater than \$100,000,000 from
24 initiation to completion and implementation may be divided into
25 discrete subprojects as determined by the office of the state chief
26 information officer. Each subproject must have a technology budget
27 and investment plan as provided in this section.

28 (5) (a) The office of the chief information officer shall maintain
29 an information technology project dashboard that provides updated
30 information each fiscal month on projects subject to this section.
31 This includes, at least:

32 (i) Project changes each fiscal month;

33 (ii) Noting if the project has a completed market requirements
34 document, and when it was completed;

35 (iii) Financial status of information technology projects under
36 oversight;

37 (iv) Coordination with agencies;

38 (v) Monthly quality assurance reports, if applicable;

39 (vi) Monthly office of the chief information officer status
40 reports;

1 (vii) Historical project budget and expenditures through fiscal
2 year 2021;

3 (viii) Budget and expenditures each fiscal month;

4 (ix) Estimated annual maintenance and operations costs by fiscal
5 year; and

6 (x) Posting monthly project status assessments on scope,
7 schedule, budget, and overall by the:

8 (A) Office of the chief information officer;

9 (B) Agency project team; and

10 (C) Quality assurance vendor, if applicable to the project.

11 (b) The dashboard must retain a roll up of the entire project
12 cost, including all subprojects, that can display subproject detail.
13 This includes coalition projects that are active.

14 (6) If the project affects more than one agency:

15 (a) A separate technology budget and investment plan must be
16 prepared for each agency; and

17 (b) The dashboard must contain a statewide project technology
18 budget roll up that includes each affected agency at the subproject
19 level.

20 (7) For any project that exceeds \$2,000,000 in total funds to
21 complete, requires more than one biennium to complete, or is financed
22 through financial contracts, bonds, or other indebtedness:

23 (a) Quality assurance for the project must report independently
24 to the office of the chief information officer;

25 (b) The office of the chief information officer must review, and,
26 if necessary, revise the proposed project to ensure it is flexible
27 and adaptable to advances in technology;

28 (c) The technology budget must specifically identify the uses of
29 any financing proceeds. No more than 30 percent of the financing
30 proceeds may be used for payroll-related costs for state employees
31 assigned to project management, installation, testing, or training;

32 (d) The agency must consult with the office of the state
33 treasurer during the competitive procurement process to evaluate
34 early in the process whether products and services to be solicited
35 and the responsive bids from a solicitation may be financed; and

36 (e) The agency must consult with the contracting division of the
37 department of enterprise services for a review of all contracts and
38 agreements related to the project's information technology
39 procurements.

1 (8) The office of the chief information officer must evaluate the
2 project at each stage and certify whether the project is planned,
3 managed, and meeting deliverable targets as defined in the project's
4 approved technology budget and investment plan.

5 (9) The office of the chief information officer may suspend or
6 terminate a project at any time if it determines that the project is
7 not meeting or not expected to meet anticipated performance and
8 technology outcomes. Once suspension or termination occurs, the
9 agency shall unallot any unused funding and shall not make any
10 expenditure for the project without the approval of the office of
11 financial management. The office of the chief information officer
12 must report on July 1st and December 1st each calendar year any
13 suspension or termination of a project in the previous six-month
14 period to the legislative fiscal committees.

15 (10) The office of the chief information officer, in consultation
16 with the office of financial management, may identify additional
17 projects to be subject to this section, including projects that are
18 not separately identified within an agency budget. The office of the
19 chief information officer must report on July 1st and December 1st
20 each calendar year any additional projects to be subjected to this
21 section that were identified in the previous six-month period to the
22 legislative fiscal committees.

23 NEW SECTION. **Sec. 702. DEVELOPMENT OF CLIMATE COMMITMENT ACT**
24 **EVALUATION TOOLS**

25 The department of transportation shall cooperate and provide
26 assistance, as requested, in the joint transportation committee's
27 development of program delivery evaluation tools and methodologies
28 provided under section 204 of this act for programs, projects, and
29 other activities that receive funding from the carbon emissions
30 reduction account, the climate active transportation account, and the
31 climate transit programs account.

32 **Sec. 703.** RCW 43.19.642 and 2021 c 333 s 703 are each amended to
33 read as follows:

34 (1) Effective June 1, 2006, for agencies complying with the
35 ultra-low sulfur diesel mandate of the United States environmental
36 protection agency for on-highway diesel fuel, agencies shall use
37 biodiesel as an additive to ultra-low sulfur diesel for lubricity,
38 provided that the use of a lubricity additive is warranted and that

1 the use of biodiesel is comparable in performance and cost with other
2 available lubricity additives. The amount of biodiesel added to the
3 ultra-low sulfur diesel fuel shall be not less than two percent.

4 (2) Except as provided in subsection (5) of this section,
5 effective June 1, 2009, state agencies are required to use a minimum
6 of (~~twenty~~) 20 percent biodiesel as compared to total volume of all
7 diesel purchases made by the agencies for the operation of the
8 agencies' diesel-powered vessels, vehicles, and construction
9 equipment.

10 (3) All state agencies using biodiesel fuel shall, beginning on
11 July 1, 2016, file annual reports with the department of enterprise
12 services documenting the use of the fuel and a description of how any
13 problems encountered were resolved.

14 (4) By December 1, 2009, the department of enterprise services
15 shall:

16 (a) Report to the legislature on the average true price
17 differential for biodiesel by blend and location; and

18 (b) Examine alternative fuel procurement methods that work to
19 address potential market barriers for in-state biodiesel producers
20 and report these findings to the legislature.

21 (5) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal
22 biennia, the Washington state ferries is required to use a minimum of
23 five percent biodiesel as compared to total volume of all diesel
24 purchases made by the Washington state ferries for the operation of
25 the Washington state ferries diesel-powered vessels, as long as the
26 price of a B5 or B10 biodiesel blend does not exceed the price of
27 conventional diesel fuel by five percent or more.

28 **Sec. 704.** RCW 82.21.030 and 2022 c 182 s 313 are each amended to
29 read as follows:

30 (1)(a) A tax is imposed on the privilege of possession of
31 hazardous substances in this state. Except as provided in (b) of this
32 subsection, the rate of the tax is seven-tenths of one percent
33 multiplied by the wholesale value of the substance. Moneys collected
34 under this subsection (1)(a) must be deposited in the model toxics
35 control capital account.

36 (b) Beginning July 1, 2019, the rate of the tax on petroleum
37 products is one dollar and nine cents per barrel. The tax collected
38 under this subsection (1)(b) on petroleum products must be deposited
39 as follows, after first depositing the tax as provided in (c) of this

1 subsection, except that during the ((2021-2023)) 2023-2025 biennium
2 the deposit as provided in (c) of this subsection may be prorated
3 equally across each month of the biennium:

4 (i) Sixty percent to the model toxics control operating account
5 created under RCW 70A.305.180;

6 (ii) Twenty-five percent to the model toxics control capital
7 account created under RCW 70A.305.190; and

8 (iii) Fifteen percent to the model toxics control stormwater
9 account created under RCW 70A.305.200.

10 (c) Until the beginning of the ensuing biennium after the
11 enactment of an additive transportation funding act, \$50,000,000 per
12 biennium to the motor vehicle fund to be used exclusively for
13 transportation stormwater activities and projects. For purposes of
14 this subsection, "additive transportation funding act" means an act
15 enacted after June 30, 2023, in which the combined total of new
16 revenues deposited into the motor vehicle fund and the multimodal
17 transportation account exceed \$2,000,000,000 per biennium
18 attributable solely to an increase in revenue from the enactment of
19 the act.

20 (d) The department must compile a list of petroleum products that
21 are not easily measured on a per barrel basis. Petroleum products
22 identified on the list are subject to the rate under (a) of this
23 subsection in lieu of the volumetric rate under (b) of this
24 subsection. The list will be made in a form and manner prescribed by
25 the department and must be made available on the department's
26 internet website. In compiling the list, the department may accept
27 technical assistance from persons that sell, market, or distribute
28 petroleum products and consider any other resource the department
29 finds useful in compiling the list.

30 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.
31 The tax due dates, reporting periods, and return requirements
32 applicable to chapter 82.04 RCW apply equally to the tax imposed in
33 this chapter.

34 (3) Beginning July 1, 2020, and every July 1st thereafter, the
35 rate specified in subsection (1)(b) of this section must be adjusted
36 to reflect the percentage change in the implicit price deflator for
37 nonresidential structures as published by the United States
38 department of commerce, bureau of economic analysis for the most
39 recent 12-month period ending December 31st of the prior year.

1 **Sec. 705.** RCW 46.68.060 and 2022 c 182 s 434 are each amended to
2 read as follows:

3 There is hereby created in the state treasury a fund to be known
4 as the highway safety fund to the credit of which must be deposited
5 all moneys directed by law to be deposited therein. This fund must be
6 used for carrying out the provisions of law relating to driver
7 licensing, driver improvement, financial responsibility, cost of
8 furnishing abstracts of driving records and maintaining such case
9 records, and to carry out the purposes set forth in RCW 43.59.010,
10 chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the
11 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer
12 from the highway safety fund to the Puget Sound ferry operations
13 account, the motor vehicle fund, and the multimodal transportation
14 account such amounts as reflect the excess fund balance of the
15 highway safety fund. During the (~~(2017-2019, 2019-2021, and)~~)
16 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct
17 the state treasurer to make transfers of moneys in the highway safety
18 fund to the multimodal transportation account and the state patrol
19 highway account.

20 **Sec. 706.** RCW 46.68.300 and 2021 c 333 s 711 are each amended to
21 read as follows:

22 The freight mobility investment account is hereby created in the
23 state treasury. Money in the account may be spent only after
24 appropriation. Expenditures from the account may be used only for
25 freight mobility projects that have been approved by the freight
26 mobility strategic investment board in RCW 47.06A.020 and may include
27 any principal and interest on bonds authorized for the projects or
28 improvements. During the (~~(2019-2021 and)~~) 2021-2023 and 2023-2025
29 fiscal biennia, the expenditures from the account may also be used
30 for the administrative expenses of the freight mobility strategic
31 investment board.

32 **Sec. 707.** RCW 47.60.322 and 2021 c 333 s 712 are each amended to
33 read as follows:

34 (1) The capital vessel replacement account is created in the
35 motor vehicle fund. All revenues generated from the vessel
36 replacement surcharge under RCW 47.60.315(7) and service fees
37 collected by the department of licensing or county auditor or other
38 agent appointed by the director under RCW 46.17.040, 46.17.050, and

1 46.17.060 must be deposited into the account. Moneys in the account
2 may be spent only after appropriation. Expenditures from the account
3 may be used only for the construction or purchase of ferry vessels
4 and to pay the principal and interest on bonds authorized for the
5 construction or purchase of ferry vessels. However, expenditures from
6 the account must first be used to support the construction or
7 purchase, including any applicable financing costs, of a ferry vessel
8 with a carrying capacity of at least (~~one hundred forty-four~~) 144
9 cars.

10 (2) The state treasurer may transfer moneys from the capital
11 vessel replacement account to the transportation 2003 account (nickel
12 account) for debt service on bonds issued for the construction of
13 144-car class ferry vessels.

14 (3) The legislature may transfer from the capital vessel
15 replacement account to the connecting Washington account created
16 under RCW 46.68.395 such amounts as reflect the excess fund balance
17 of the capital vessel replacement account to be used for ferry
18 terminal construction and preservation.

19 (4) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal
20 biennia, the legislature may direct the state treasurer to make
21 transfers of moneys in the capital vessel replacement account to the
22 transportation partnership account and the connecting Washington
23 account.

24 **Sec. 708.** RCW 46.68.290 and 2022 c 157 s 16 are each amended to
25 read as follows:

26 (1) The transportation partnership account is hereby created in
27 the motor vehicle fund. All distributions to the account from RCW
28 46.68.090 must be deposited into the account. Money in the account
29 may be spent only after appropriation. Expenditures from the account
30 must be used only for projects or improvements identified as 2005
31 transportation partnership projects or improvements in the omnibus
32 transportation appropriations act, including any principal and
33 interest on bonds authorized for the projects or improvements.

34 (2) The legislature finds that:

35 (a) Citizens demand and deserve accountability of transportation-
36 related programs and expenditures. Transportation-related programs
37 must continuously improve in quality, efficiency, and effectiveness
38 in order to increase public trust;

1 (b) Transportation-related agencies that receive tax dollars must
2 continuously improve the way they operate and deliver services so
3 citizens receive maximum value for their tax dollars; and

4 (c) Fair, independent, comprehensive performance audits of
5 transportation-related agencies overseen by the elected state auditor
6 are essential to improving the efficiency, economy, and effectiveness
7 of the state's transportation system.

8 (3) For purposes of chapter 314, Laws of 2005:

9 (a) "Performance audit" means an objective and systematic
10 assessment of a state agency or agencies or any of their programs,
11 functions, or activities by the state auditor or designee in order to
12 help improve agency efficiency, effectiveness, and accountability.
13 Performance audits include economy and efficiency audits and program
14 audits.

15 (b) "Transportation-related agency" means any state agency,
16 board, or commission that receives funding primarily for
17 transportation-related purposes. At a minimum, the department of
18 transportation, the transportation improvement board or its successor
19 entity, the county road administration board or its successor entity,
20 and the traffic safety commission are considered transportation-
21 related agencies. The Washington state patrol and the department of
22 licensing shall not be considered transportation-related agencies
23 under chapter 314, Laws of 2005.

24 (4) Within the authorities and duties under chapter 43.09 RCW,
25 the state auditor shall establish criteria and protocols for
26 performance audits. Transportation-related agencies shall be audited
27 using criteria that include generally accepted government auditing
28 standards as well as legislative mandates and performance objectives
29 established by state agencies. Mandates include, but are not limited
30 to, agency strategies, timelines, program objectives, and mission and
31 goals as required in RCW 43.88.090.

32 (5) Within the authorities and duties under chapter 43.09 RCW,
33 the state auditor may conduct performance audits for transportation-
34 related agencies. The state auditor shall contract with private firms
35 to conduct the performance audits.

36 (6) The audits may include:

37 (a) Identification of programs and services that can be
38 eliminated, reduced, consolidated, or enhanced;

1 (b) Identification of funding sources to the transportation-
2 related agency, to programs, and to services that can be eliminated,
3 reduced, consolidated, or enhanced;

4 (c) Analysis of gaps and overlaps in programs and services and
5 recommendations for improving, dropping, blending, or separating
6 functions to correct gaps or overlaps;

7 (d) Analysis and recommendations for pooling information
8 technology systems used within the transportation-related agency, and
9 evaluation of information processing and telecommunications policy,
10 organization, and management;

11 (e) Analysis of the roles and functions of the transportation-
12 related agency, its programs, and its services and their compliance
13 with statutory authority and recommendations for eliminating or
14 changing those roles and functions and ensuring compliance with
15 statutory authority;

16 (f) Recommendations for eliminating or changing statutes, rules,
17 and policy directives as may be necessary to ensure that the
18 transportation-related agency carry out reasonably and properly those
19 functions vested in the agency by statute;

20 (g) Verification of the reliability and validity of
21 transportation-related agency performance data, self-assessments, and
22 performance measurement systems as required under RCW 43.88.090;

23 (h) Identification of potential cost savings in the
24 transportation-related agency, its programs, and its services;

25 (i) Identification and recognition of best practices;

26 (j) Evaluation of planning, budgeting, and program evaluation
27 policies and practices;

28 (k) Evaluation of personnel systems operation and management;

29 (l) Evaluation of purchasing operations and management policies
30 and practices;

31 (m) Evaluation of organizational structure and staffing levels,
32 particularly in terms of the ratio of managers and supervisors to
33 nonmanagement personnel; and

34 (n) Evaluation of transportation-related project costs, including
35 but not limited to environmental mitigation, competitive bidding
36 practices, permitting processes, and capital project management.

37 (7) Within the authorities and duties under chapter 43.09 RCW,
38 the state auditor must provide the preliminary performance audit
39 reports to the audited state agency for comment. The auditor also may
40 seek input on the preliminary report from other appropriate

1 officials. Comments must be received within (~~thirty~~) 30 days after
2 receipt of the preliminary performance audit report unless a
3 different time period is approved by the state auditor. The final
4 performance audit report shall include the objectives, scope, and
5 methodology; the audit results, including findings and
6 recommendations; the agency's response and conclusions; and
7 identification of best practices.

8 (8) The state auditor shall provide final performance audit
9 reports to the citizens of Washington, the governor, the joint
10 legislative audit and review committee, the appropriate legislative
11 committees, and other appropriate officials. Final performance audit
12 reports shall be posted on the internet.

13 (9) The audited transportation-related agency is responsible for
14 follow-up and corrective action on all performance audit findings and
15 recommendations. The audited agency's plan for addressing each audit
16 finding and recommendation shall be included in the final audit
17 report. The plan shall provide the name of the contact person
18 responsible for each action, the action planned, and the anticipated
19 completion date. If the audited agency does not agree with the audit
20 findings and recommendations or believes action is not required, then
21 the action plan shall include an explanation and specific reasons.

22 The office of financial management shall require periodic
23 progress reports from the audited agency until all resolution has
24 occurred. The office of financial management is responsible for
25 achieving audit resolution. The office of financial management shall
26 annually report by December 31st the status of performance audit
27 resolution to the appropriate legislative committees and the state
28 auditor. The legislature shall consider the performance audit results
29 in connection with the state budget process.

30 The auditor may request status reports on specific audits or
31 findings.

32 (10) For the period from July 1, 2005, until June 30, 2007, the
33 amount of \$4,000,000 is appropriated from the transportation
34 partnership account to the state auditors office for the purposes of
35 subsections (2) through (9) of this section.

36 (11) During the 2015-2017 fiscal biennium, the legislature may
37 transfer from the transportation partnership account to the
38 connecting Washington account such amounts as reflect the excess fund
39 balance of the transportation partnership account.

1 (12) During the ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal
2 biennia, the legislature may direct the state treasurer to make
3 transfers of moneys in the transportation partnership account to the
4 connecting Washington account, the motor vehicle fund, the Tacoma
5 Narrows toll bridge account, and the capital vessel replacement
6 account.

7 **Sec. 709.** RCW 46.68.063 and 2021 c 333 s 714 are each amended to
8 read as follows:

9 The department of licensing technology improvement and data
10 management account is created in the highway safety fund. All
11 receipts from fees collected under RCW 46.12.630(5) must be deposited
12 into the account. Expenditures from the account may be used only for
13 investments in technology and data management at the department.
14 During the ((2019-2021 and)) 2021-2023 and 2023-2025 biennia, the
15 account may also be used for responding to public records requests.
16 Moneys in the account may be spent only after appropriation.

17 **Sec. 710.** RCW 47.60.530 and 2021 c 333 s 715 are each amended to
18 read as follows:

19 (1) The Puget Sound ferry operations account is created in the
20 motor vehicle fund.

21 (2) The following funds must be deposited into the account:

22 (a) All moneys directed by law;

23 (b) All revenues generated from ferry fares; and

24 (c) All revenues generated from commercial advertising,
25 concessions, parking, and leases as allowed under RCW 47.60.140.

26 (3) Moneys in the account may be spent only after appropriation.

27 (4) Expenditures from the account may be used only for the
28 maintenance, administration, and operation of the Washington state
29 ferry system.

30 ~~(5) ((During the 2015-2017 fiscal biennium, the legislature may
31 transfer from the Puget Sound ferry operations account to the
32 connecting Washington account such amounts as reflect the excess fund
33 balance of the Puget Sound ferry operations account.~~

34 ~~(6) During the 2017-2019 fiscal biennium, the legislature may
35 direct the state treasurer to make transfers of moneys in the Puget
36 Sound ferry operations account to the connecting Washington account.~~

37 ~~(7))~~ During the 2021-2023 and 2023-2025 fiscal biennium, the
38 legislature may direct the state treasurer to make transfers of

1 moneys in the Puget Sound ferry operations account to the Puget Sound
2 capital construction account.

3 **Sec. 711.** RCW 47.60.315 and 2021 c 333 s 716 are each amended to
4 read as follows:

5 (1) The commission shall adopt fares and pricing policies by
6 rule, under chapter 34.05 RCW, according to the following schedule:

7 (a) Each year the department shall provide the commission a
8 report of its review of fares and pricing policies, with
9 recommendations for the revision of fares and pricing policies for
10 the ensuing year;

11 (b) By September 1st of each year, beginning in 2008, the
12 commission shall adopt by rule fares and pricing policies for the
13 ensuing year.

14 (2) The commission may adopt by rule fares that are effective for
15 more or less than one year for the purposes of transitioning to the
16 fare schedule in subsection (1) of this section.

17 (3) The commission may increase ferry fares included in the
18 schedule of charges adopted under this section by a percentage that
19 exceeds the fiscal growth factor.

20 (4) The chief executive officer of the ferry system may authorize
21 the use of promotional, discounted, and special event fares to the
22 general public and commercial enterprises for the purpose of
23 maximizing capacity use and the revenues collected by the ferry
24 system. The department shall report to the commission a summary of
25 the promotional, discounted, and special event fares offered during
26 each fiscal year and the financial results from these activities.

27 (5) Fare revenues and other revenues deposited in the Puget Sound
28 ferry operations account created in RCW 47.60.530 may not be used to
29 support the Puget Sound capital construction account created in RCW
30 47.60.505, unless the support for capital is separately identified in
31 the fare or except as provided in section (~~(715, chapter 333, Laws of~~
32 ~~2021)) 710 of this act during the (~~(2021-2023)) 2023-2025 biennium.~~~~

33 (6) The commission may not raise fares until the fare rules
34 contain pricing policies developed under RCW 47.60.290, or September
35 1, 2009, whichever is later.

36 (7) The commission shall impose a vessel replacement surcharge of
37 (~~(twenty-five)) 25 cents on every one-way and round-trip ferry fare
38 sold, including multiride and monthly pass fares. This surcharge must~~

1 be clearly indicated to ferry passengers and drivers and, if
2 possible, on the fare media itself.

3 (8) Except as provided in subsection (10) of this section,
4 beginning May 1, 2020, the commission shall impose an additional
5 vessel replacement surcharge in an amount sufficient to fund
6 (~~twenty-five~~) 25 year debt service on one 144-auto hybrid vessel
7 taking into account funds provided in chapter 417, Laws of 2019 or
8 chapter . . . (SSB 5419), Laws of 2019. The department of
9 transportation shall provide to the commission vessel and debt
10 service cost estimates. Information on vessels constructed or
11 purchased with revenue from the surcharges must be publicly posted
12 including, but not limited to, the commission website.

13 (9) The vessel replacement surcharges imposed in this section may
14 only be used for the construction or purchase of ferry vessels and to
15 pay the principal and interest on bonds authorized for the
16 construction or purchase of new ferry vessels.

17 (10) The commission shall not impose the additional vessel
18 replacement surcharge in subsection (8) of this section if doing so
19 would increase fares by more than (~~ten~~) 10 percent.

20 **Sec. 712.** RCW 34.05.350 and 2021 c 333 s 717 are each amended to
21 read as follows:

22 (1) If an agency for good cause finds:

23 (a) That immediate adoption, amendment, or repeal of a rule is
24 necessary for the preservation of the public health, safety, or
25 general welfare, and that observing the time requirements of notice
26 and opportunity to comment upon adoption of a permanent rule would be
27 contrary to the public interest;

28 (b) That state or federal law or federal rule or a federal
29 deadline for state receipt of federal funds requires immediate
30 adoption of a rule; or

31 (c) In order to implement the requirements or reductions in
32 appropriations enacted in any budget for fiscal year 2009, 2010,
33 2011, 2012, 2013, or in an omnibus transportation appropriations act
34 for the 2021-2023 (~~biennium~~) and 2023-2025 biennia related to
35 setting toll rates or ferry fares, which necessitates the need for
36 the immediate adoption, amendment, or repeal of a rule, and that
37 observing the time requirements of notice and opportunity to comment
38 upon adoption of a permanent rule would be contrary to the fiscal
39 needs or requirements of the agency,

1 the agency may dispense with those requirements and adopt, amend, or
2 repeal the rule on an emergency basis. The agency's finding and a
3 concise statement of the reasons for its finding shall be
4 incorporated in the order for adoption of the emergency rule or
5 amendment filed with the office of the code reviser under RCW
6 34.05.380 and with the rules review committee.

7 (2) An emergency rule adopted under this section takes effect
8 upon filing with the code reviser, unless a later date is specified
9 in the order of adoption, and may not remain in effect for longer
10 than one hundred twenty days after filing. Identical or substantially
11 similar emergency rules may not be adopted in sequence unless
12 conditions have changed or the agency has filed notice of its intent
13 to adopt the rule as a permanent rule, and is actively undertaking
14 the appropriate procedures to adopt the rule as a permanent rule.
15 This section does not relieve any agency from compliance with any law
16 requiring that its permanent rules be approved by designated persons
17 or bodies before they become effective.

18 (3) Within seven days after the rule is adopted, any person may
19 petition the governor requesting the immediate repeal of a rule
20 adopted on an emergency basis by any department listed in RCW
21 43.17.010. Within seven days after submission of the petition, the
22 governor shall either deny the petition in writing, stating his or
23 her reasons for the denial, or order the immediate repeal of the
24 rule. In ruling on the petition, the governor shall consider only
25 whether the conditions in subsection (1) of this section were met
26 such that adoption of the rule on an emergency basis was necessary.
27 If the governor orders the repeal of the emergency rule, any sanction
28 imposed based on that rule is void. This subsection shall not be
29 construed to prohibit adoption of any rule as a permanent rule.

30 **Sec. 713.** RCW 46.09.540 and 2021 c 333 s 720 are each amended to
31 read as follows:

32 (1) The multiuse roadway safety account is created in the motor
33 vehicle fund. All receipts from vehicle license fees under RCW
34 46.17.350(1)(r) must be deposited into the account. Moneys in the
35 account may be spent only after appropriation. Expenditures from the
36 account may be used only for grants administered by the department of
37 transportation to: (a) Counties to perform safety engineering
38 analysis of mixed vehicle use on any road within a county; (b) local
39 governments to provide funding to erect signs providing notice to the

1 motoring public that (i) wheeled all-terrain vehicles are present or
2 (ii) wheeled all-terrain vehicles may be crossing; (c) the state
3 patrol or local law enforcement for purposes of defraying the costs
4 of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (d) law
5 enforcement to investigate accidents involving wheeled all-terrain
6 vehicles; and (e) during the (~~2021-2023~~) 2023-2025 biennium grants
7 may be made to counties to (i) enhance or maintain any segment of a
8 road within the county in which the segment has been designated as
9 part of a travel or tourism route for use by wheeled all-terrain
10 vehicles; and (ii) purchase, print, develop, or use educational
11 brochures or mapping technology that aids in the safety and direction
12 of users of wheeled all-terrain vehicle routes.

13 (2) The department of transportation must prioritize grant awards
14 in the following priority order:

15 (a) For the purpose of marking highway crossings with signs
16 warning motorists that wheeled all-terrain vehicles may be crossing
17 when an ORV recreation facility parking lot is on the other side of a
18 public roadway from the actual ORV recreation facility; and

19 (b) For the purpose of marking intersections with signs where a
20 wheeled all-terrain vehicle may cross a public road to advise
21 motorists of the upcoming intersection. Such signs must conform to
22 the manual on uniform traffic control devices.

23 **Sec. 714.** RCW 47.66.120 and 2022 c 182 s 439 are each amended to
24 read as follows:

25 (1)(a) The department's public transportation division shall
26 establish a green transportation capital grant program. The purpose
27 of the grant program is to aid any transit authority in funding cost-
28 effective capital projects to reduce the carbon intensity of the
29 Washington transportation system, examples of which include:
30 Electrification of vehicle fleets, including battery and fuel cell
31 electric vehicles; modification or replacement of capital facilities
32 in order to facilitate fleet electrification and/or hydrogen
33 refueling; necessary upgrades to electrical transmission and
34 distribution systems; and construction of charging and fueling
35 stations. The department's public transportation division shall
36 identify projects and shall submit a prioritized list of all projects
37 requesting funding to the legislature by December 1st of each even-
38 numbered year.

1 (b) The department's public transportation division shall select
2 projects based on a competitive process that considers the following
3 criteria:

4 (i) The cost-effectiveness of the reductions in carbon emissions
5 provided by the project; and

6 (ii) The benefit provided to transitioning the entire state to a
7 transportation system with lower carbon intensity.

8 (c) The department must incorporate environmental justice
9 principles into the grant selection process, with the goal of
10 increasing the distribution of funding to communities based on
11 addressing environmental harms and providing environmental benefits
12 for overburdened communities, as defined in RCW 70A.02.010, and
13 vulnerable populations.

14 (2) The department's public transportation division must
15 establish an advisory committee to assist in identifying projects
16 under subsection (1) of this section. The advisory committee must
17 include representatives from the department of ecology, the
18 department of commerce, the utilities and transportation commission,
19 and at least one transit authority.

20 (3) In order to receive green transportation capital grant
21 program funding for a project, a transit authority must provide
22 matching funding for that project that is at least equal to twenty
23 percent of the total cost of the project.

24 (4) The department's public transportation division must report
25 annually to the transportation committees of the legislature on the
26 status of any grant projects funded by the program created under this
27 section.

28 (5) For purposes of this section, "transit authority" means a
29 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
30 county public transportation authority under chapter 36.57 RCW, a
31 metropolitan municipal corporation transit system under chapter 36.56
32 RCW, a public transportation benefit area under chapter 36.57A RCW,
33 an unincorporated transportation benefit area under RCW 36.57.100, a
34 regional transit authority under chapter 81.112 RCW, or any special
35 purpose district formed to operate a public transportation system.

36 (6) During the (~~2021-2023~~) 2023-2025 fiscal biennium, the
37 department may provide up to 20 percent of the total green
38 transportation capital grant program funding for zero emissions
39 capital transition planning projects.

1 **Sec. 715.** RCW 70A.205.415 and 2022 c 186 s 705 are each amended
2 to read as follows:

3 The waste tire removal account is created in the state treasury.
4 Expenditures from the account may be used for the cleanup of
5 unauthorized waste tire piles, measures that prevent future
6 accumulation of unauthorized waste tire piles, and road wear related
7 maintenance on state and local public highways. During the 2007-2009
8 fiscal biennium, the legislature may transfer from the waste tire
9 removal account to the motor vehicle fund such amounts as reflect the
10 excess fund balance of the waste tire removal account. During the
11 2021-2023 and 2023-2025 fiscal (~~biennium~~) biennia, appropriations
12 from the waste tire removal account may be made for the department of
13 transportation to address the risks to safety and public health
14 associated with homeless encampments on department owned rights-of-
15 way.

16 **Sec. 716.** RCW 46.68.410 and 2022 c 186 s 706 are each amended to
17 read as follows:

18 (1) The vehicle identification number inspection fee collected
19 under RCW 46.17.130 must be distributed as follows:

20 (a) \$15 to the state patrol highway account created in RCW
21 46.68.030; and

22 (b) \$50 to the motor vehicle fund created in RCW 46.68.070.

23 (2) During the (~~2021-2023~~) 2023-2025 fiscal biennium, the
24 entire vehicle identification number inspection fee collected under
25 RCW 46.17.130 must be distributed to the state patrol highway account
26 created in RCW 46.68.030.

27 **Sec. 717.** RCW 47.12.063 and 2022 c 186 s 710 are each amended to
28 read as follows:

29 (1) It is the intent of the legislature to continue the
30 department's policy giving priority consideration to abutting
31 property owners in agricultural areas when disposing of property
32 through its surplus property program under this section.

33 (2) Whenever the department determines that any real property
34 owned by the state of Washington and under the jurisdiction of the
35 department is no longer required for transportation purposes and that
36 it is in the public interest to do so, the department may sell the
37 property or exchange it in full or part consideration for land or
38 building improvements or for construction of highway improvements at

1 fair market value to any person through the solicitation of written
2 bids through public advertising in the manner prescribed under RCW
3 47.28.050 or in the manner prescribed under RCW 47.12.283.

4 (3) The department may forego the processes prescribed by RCW
5 47.28.050 and 47.12.283 and sell the real property to any of the
6 following entities or persons at fair market value:

7 (a) Any other state agency;

8 (b) The city or county in which the property is situated;

9 (c) Any other municipal corporation;

10 (d) Regional transit authorities created under chapter 81.112
11 RCW;

12 (e) The former owner of the property from whom the state acquired
13 title;

14 (f) In the case of residentially improved property, a tenant of
15 the department who has resided thereon for not less than six months
16 and who is not delinquent in paying rent to the state;

17 (g) Any abutting private owner but only after each other abutting
18 private owner (if any), as shown in the records of the county
19 assessor, is notified in writing of the proposed sale. If more than
20 one abutting private owner requests in writing the right to purchase
21 the property within 15 days after receiving notice of the proposed
22 sale, the property shall be sold at public auction in the manner
23 provided in RCW 47.12.283;

24 (h) To any other owner of real property required for
25 transportation purposes;

26 (i) In the case of property suitable for residential use, any
27 nonprofit organization dedicated to providing affordable housing to
28 very low-income, low-income, and moderate-income households as
29 defined in RCW 43.63A.510 and is eligible to receive assistance
30 through the Washington housing trust fund created in chapter 43.185
31 RCW;

32 (j) During the (~~2021-2023~~) 2023-2025 fiscal biennium, any
33 nonprofit organization that identifies real property to be sold or
34 conveyed as a substitute for real property owned by the nonprofit
35 within the city of Seattle to be redeveloped for the purpose of
36 affordable housing, which can be sold at less than its fair market
37 value to the extent the department finds it is in the public interest
38 to do so; or

39 (k) A federally recognized Indian tribe within whose reservation
40 boundary the property is located.

1 (4) When selling real property pursuant to RCW 47.12.283, the
2 department may withhold or withdraw the property from an auction when
3 requested by one of the entities or persons listed in subsection (3)
4 of this section and only after the receipt of a nonrefundable deposit
5 equal to 10 percent of the fair market value of the real property or
6 \$5,000, whichever is less. This subsection does not prohibit the
7 department from exercising its discretion to withhold or withdraw the
8 real property from an auction if the department determines that the
9 property is no longer surplus or chooses to sell the property through
10 one of the other means listed in subsection (2) of this section. If a
11 transaction under this subsection is not completed within 60 days,
12 the real property must be put back up for sale.

13 (5) Sales to purchasers may, at the department's option, be for
14 cash, by real estate contract, or exchange of land or highway
15 improvements. Transactions involving the construction of improvements
16 must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as
17 applicable, and must comply with all other applicable laws and rules.

18 (6) Conveyances made pursuant to this section shall be by deed
19 executed by the secretary of transportation and shall be duly
20 acknowledged.

21 (7) Unless otherwise provided, all moneys received pursuant to
22 the provisions of this section less any real estate broker
23 commissions paid pursuant to RCW 47.12.320 shall be deposited in the
24 motor vehicle fund.

25 (8) The department may not enter into equal value exchanges or
26 property acquisitions for building improvements without first
27 consulting with the office of financial management and the joint
28 transportation committee.

29 **Sec. 718.** RCW 46.68.500 and 2022 c 182 s 103 are each amended to
30 read as follows:

31 (1) The climate transit programs account is hereby created in the
32 state treasury. Moneys in the account may be spent only after
33 appropriation. Expenditures from the account may be used only for the
34 following transit grant programs: Transit support grant program,
35 tribal transit mobility grants, transit coordination grants, special
36 needs transit grants, bus and bus facility grant program, green
37 transit grants, and transportation demand management grants, as well
38 as transit projects identified in an omnibus transportation
39 appropriations act as move ahead WA projects.

1 (2) Beginning July 1, 2023, the state treasurer shall annually
2 transfer 56 percent of the revenues accruing annually to the carbon
3 emissions reduction account created in RCW 70A.65.240 to the climate
4 transit programs account. The provisions of this subsection do not
5 apply during the 2023-2025 fiscal biennium.

6 **Sec. 719.** RCW 46.68.490 and 2022 c 182 s 102 are each amended to
7 read as follows:

8 (1) The climate active transportation account is hereby created
9 in the state treasury. Moneys in the account may be spent only after
10 appropriation. Expenditures from the account may be used only for the
11 following active transportation grant programs: Safe routes to
12 schools, school-based bike program, bicycle and pedestrian grant
13 program, complete streets grants program, and connecting communities
14 grant program, as well as pedestrian and bicycle or other active
15 transportation projects identified in an omnibus transportation
16 appropriations act as move ahead WA projects.

17 (2) Beginning July 1, 2023, the state treasurer shall annually
18 transfer 24 percent of the revenues accruing annually to the carbon
19 emissions reduction account created in RCW 70A.65.240 to the climate
20 active transportation account. The provisions of this subsection do
21 not apply during the 2023-2025 fiscal biennium.

22 **Sec. 720.** RCW 46.68.280 and 2019 c 416 s 706 are each amended to
23 read as follows:

24 (1) The transportation 2003 account (nickel account) is hereby
25 created in the motor vehicle fund. Money in the account may be spent
26 only after appropriation. Expenditures from the account must be used
27 only for projects or improvements identified as transportation 2003
28 projects or improvements in the omnibus transportation budget and to
29 pay the principal and interest on the bonds authorized for
30 transportation 2003 projects or improvements. Upon completion of the
31 projects or improvements identified as transportation 2003 projects
32 or improvements, moneys deposited in this account must only be used
33 to pay the principal and interest on the bonds authorized for
34 transportation 2003 projects or improvements, and any funds in the
35 account in excess of the amount necessary to make the principal and
36 interest payments may be used for maintenance on the completed
37 projects or improvements.

1 (2) During the 2015-2017 fiscal biennium, the legislature may
2 transfer from the transportation 2003 account (nickel account) to the
3 connecting Washington account such amounts as reflect the excess fund
4 balance of the transportation 2003 account (nickel account).

5 (3) During the 2017-2019 and the 2019-2021 fiscal biennia, the
6 legislature may direct the state treasurer to make transfers of
7 moneys in the transportation 2003 account (nickel account) to the
8 connecting Washington account, the Puget Sound capital construction
9 account, and the Tacoma Narrows toll bridge account.

10 (4) The "nickel account" means the transportation 2003 account.

11 (5) During the 2023-2025 fiscal biennium, the legislature may
12 direct the state treasurer to make transfers of moneys in the
13 transportation 2003 account (nickel account) to the motor vehicle
14 fund.

15 **Sec. 721.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
16 read as follows:

17 (1) The connecting Washington account is created in the motor
18 vehicle fund. Moneys in the account may be spent only after
19 appropriation. Expenditures from the account must be used only for
20 projects or improvements identified as connecting Washington projects
21 or improvements in a transportation appropriations act, including any
22 principal and interest on bonds authorized for the projects or
23 improvements.

24 (2) Moneys in the connecting Washington account may not be
25 expended on the state route number 99 Alaskan Way viaduct replacement
26 project.

27 (3) During the 2019-2021 fiscal biennium, the legislature may
28 direct the state treasurer to make transfers of moneys in the
29 connecting Washington account to the motor vehicle fund.

30 (4) During the 2023-2025 fiscal biennium, the legislature may
31 direct the state treasurer to make transfers of moneys in the
32 connecting Washington account to the move ahead WA account.

33 **Sec. 722.** RCW 82.44.200 and 2022 c 187 s 501 are each amended to
34 read as follows:

35 The electric vehicle account is created in the transportation
36 infrastructure account. Proceeds from the principal and interest
37 payments made on loans from the account must be deposited into the
38 account. Expenditures from the account may be used only for the

1 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
2 the support of other transportation electrification and alternative
3 fuel related purposes, including RCW 47.01.520. Moneys in the account
4 may be spent only after appropriation. During the 2021-2023 and
5 2023-2025 fiscal (~~(biennium)~~) biennia, the legislature may direct the
6 state treasurer to make transfers of moneys in the electric vehicle
7 account to the move ahead WA flexible account.

8 **Sec. 723.** RCW 47.56.864 and 2012 c 83 s 3 are each amended to
9 read as follows:

10 A special account to be known as the Alaskan Way viaduct
11 replacement project account is created in the state treasury.

12 (1) Deposits to the account must include:

13 (a) All proceeds of bonds issued for construction of the Alaskan
14 Way viaduct replacement project, including any capitalized interest;

15 (b) All of the tolls and other revenues received from the
16 operation of the Alaskan Way viaduct replacement project as a toll
17 facility, to be deposited at least monthly;

18 (c) Any interest that may be earned from the deposit or
19 investment of those revenues;

20 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any
21 surplus real property acquired for the purpose of building the
22 Alaskan Way viaduct replacement project; and

23 (e) All damages, liquidated or otherwise, collected under any
24 contract involving the construction of the Alaskan Way viaduct
25 replacement project.

26 (2) Subject to the covenants made by the state in the bond
27 proceedings authorizing the issuance and sale of bonds for the
28 construction of the Alaskan Way viaduct replacement project, toll
29 charges, other revenues, and interest received from the operation of
30 the Alaskan Way viaduct replacement project as a toll facility may be
31 used to:

32 (a) Pay any required costs allowed under RCW 47.56.820; and

33 (b) Repay amounts to the motor vehicle fund as required.

34 (3) When repaying the motor vehicle fund, the state treasurer
35 shall transfer funds from the Alaskan Way viaduct replacement project
36 account to the motor vehicle fund on or before each debt service date
37 for bonds issued for the construction of the Alaskan Way viaduct
38 replacement project in an amount sufficient to repay the motor
39 vehicle fund for amounts transferred from that fund to the highway

1 bond retirement fund to provide for any bond principal and interest
2 due on that date. The state treasurer may establish subaccounts for
3 the purpose of segregating toll charges, bond sale proceeds, and
4 other revenues.

5 (4) During the 2023-2025 fiscal biennium, the legislature may
6 direct the state treasurer to make transfers of moneys in the Alaskan
7 Way viaduct replacement project account to the motor vehicle fund.

8 NEW SECTION. **Sec. 724.** Section 717 of this act only takes
9 effect if chapter . . . (House Bill No. 1237), Laws of 2023 is not
10 enacted by June 30, 2023.

(End of part)

MISCELLANEOUS 2019-2021 FISCAL BIENNIUM

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NEW SECTION. **Sec. 801.** The appropriations to the department of transportation in chapter 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be expended for the programs and in the amounts specified in chapter 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However, after May 1, 2021, unless specifically prohibited, the department may transfer state appropriations for the 2019-2021 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature prior to approving any allotment modifications or transfers under this section.

(End of part)

2021-2023 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 901. 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. 902. 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. 903. 2021 c 333 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation ((~~\$1,441,000~~))
\$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 (1) Development of a status quo scenario based on current policy
2 and projections and two alternative scenarios of the number of people
3 and percentage of staff in telework status on a permanent basis with
4 one alternative being the minimum feasible level of teleworking and
5 one alternative being the maximum feasible level of teleworking;

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

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

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

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

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

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

26 NEW SECTION. **Sec. 904.** A new section is added to 2022 c 186
27 (uncodified) to read as follows:

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

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

37 (3) The department of agriculture shall distribute fuel tax
38 stickers to all individuals who conduct fuel pump inspections,
39 including department employees and local government employees.

1 Government employees who conduct fuel pump inspections shall display
2 a fuel tax sticker on each motor fuel pump or shall verify that such
3 a sticker is being displayed at the time of inspection as required
4 under this subsection. Fuel tax stickers must:

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

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

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

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

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 **Sec. 1001.** 2022 c 186 s 205 (uncodified) is amended to read as
3 follows:

4 **FOR THE TRANSPORTATION COMMISSION**

5 Motor Vehicle Account—State Appropriation. \$3,804,000
6 Interstate 405 and State Route Number 167 Express
7 Toll Lanes Account—State Appropriation. \$127,000
8 State Route Number 520 Corridor Account—State
9 Appropriation. \$276,000
10 Tacoma Narrows Toll Bridge Account—State
11 Appropriation. \$180,000
12 Alaskan Way Viaduct Replacement Project Account—
13 State Appropriation. \$172,000
14 TOTAL APPROPRIATION. \$4,559,000

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

17 (1)(a) The commission shall reconvene the road usage charge
18 steering committee, with the same membership described in chapter
19 297, Laws of 2018, and shall periodically report to the steering
20 committee with updates on activities undertaken in accordance with
21 the federal grant awarded July 2020 ("Forward Drive"). A year-end
22 update on the status of any federally-funded project for which
23 federal funding is secured must be provided to the governor's office
24 and the transportation committees of the legislature by January 1,
25 2022, and by January 1, 2023. Any legislative vacancies on the
26 steering committee must be appointed by the speaker of the house of
27 representatives for a house of representatives member vacancy, and by
28 the president of the senate for a senate member vacancy.

29 (b) The commission shall coordinate with the department of
30 transportation to jointly seek federal funds available through the
31 federal strategic innovations in revenue collection grant program,
32 applying toll credits for meeting match requirements. One or more
33 grant applications may be developed that, at a minimum, propose to:

34 (i) Assess the impact of a road usage charge, incentives, and
35 other factors on consumer purchase of electric vehicles and conduct a
36 test with drivers to fully assess impacts;

37 (ii) Assess delivery vehicle fleets and how a road usage charge
38 may be applied, identifying potential impacts to fleet operations and

1 costs, and state transportation revenues, and conducting a pilot test
2 to further inform the identification of potential impacts from a road
3 usage charge;

4 (iii) Review the process for changing vehicle ownership and
5 determine the considerations and possible implications with a road
6 usage charge system, identifying the processes and structure needed
7 for reconciling a road usage charge owed between sellers and
8 purchasers of used vehicles; and

9 (iv) Identify opportunities for achieving large-scale data
10 integration to support road usage charge service provisions that
11 could be offered by private-sector service providers, conducting a
12 pilot test to determine the ability of such service providers to
13 support automated mileage reporting and periodic payment services.

14 (2) \$127,000 of the Interstate 405 and state route number 167
15 express toll lanes account—state appropriation, \$276,000 of the state
16 route number 520 corridor account—state appropriation, \$180,000 of
17 the Tacoma Narrows toll bridge account—state appropriation, and
18 \$172,000 of the Alaskan Way viaduct replacement project account—state
19 appropriation are provided solely for the transportation commission's
20 proportional share of time spent supporting tolling operations for
21 the respective tolling facilities.

22 (3) \$1,500,000 of the motor vehicle account—state appropriation
23 is provided solely for the commission to conduct a full planning-
24 level traffic and revenue study of the Hood River Bridge to determine
25 the viability of toll revenues to support future financing of
26 improvements and possible replacement of the bridge, considering
27 prior work and studies conducted. The commission shall coordinate
28 this work with the department of transportation, the Port of Hood
29 River, the Oregon department of transportation, and other entities as
30 needed. The results of the assessment must be submitted to the house
31 and senate transportation committees by June 30, 2023.

32 (4) Within the parameters established by RCW 47.56.880, the
33 commission shall review toll revenue performance on the Interstate
34 405 and state route number 167 corridor and adjust Interstate 405
35 tolls as appropriate to increase toll revenue to provide sufficient
36 funds for payments of future debt pursuant to RCW 47.10.896 and to
37 support improvements to the corridor. The commission may consider
38 adjusting maximum toll rates, minimum toll rates, time-of-day rates,

1 restricting direct access ramps to transit and HOV vehicles only, or
2 any combination thereof, in setting tolls to increase toll revenue.

3 **Sec. 1002.** 2022 c 186 s 206 (uncodified) is amended to read as
4 follows:

5 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

6 Freight Mobility Investment Account—State
7 Appropriation. (~~(\$843,000)~~)
8 \$895,000

9 The appropriations in this section are subject to the following
10 conditions and limitations: Within appropriated funds, the freight
11 mobility strategic investment board may opt in as provided under RCW
12 70A.02.030 to assume all of the substantive and procedural
13 requirements of covered agencies under chapter 70A.02 RCW. The board
14 shall include in its 2022 annual report to the legislature a progress
15 report on opting into the healthy environment for all act and a
16 status report on diversity, equity, and inclusion within the board's
17 jurisdiction.

18 **Sec. 1003.** 2022 c 186 s 207 (uncodified) is amended to read as
19 follows:

20 **FOR THE WASHINGTON STATE PATROL**

21 State Patrol Highway Account—State Appropriation. (~~(\$524,348,000)~~)
22 \$525,972,000
23 State Patrol Highway Account—Federal Appropriation. \$16,433,000
24 State Patrol Highway Account—Private/Local
25 Appropriation. \$4,314,000
26 Highway Safety Account—State Appropriation. \$1,292,000
27 Ignition Interlock Device Revolving Account—State
28 Appropriation. \$2,243,000
29 Multimodal Transportation Account—State
30 Appropriation. \$293,000
31 State Route Number 520 Corridor Account—State
32 Appropriation. \$433,000
33 Tacoma Narrows Toll Bridge Account—State
34 Appropriation. \$77,000
35 I-405 and SR 167 Express Toll Lanes Account—State
36 Appropriation. \$1,348,000
37 TOTAL APPROPRIATION. (~~(\$550,781,000)~~)

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

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2021, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since January 1, 2021, to the director of the office of financial management and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since January 1, 2021, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 333, Laws of 2021. In recognition of the efforts of the license investigation unit that have resulted in additional state sales and use taxes remitted to the state through the end of calendar year 2022, the Washington state patrol shall notify the state treasurer to transfer additional funds pursuant to section 1206 of this act.

(3) \$4,000,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2023.

1 (4) By December 1st of each year during the 2021-2023 biennium,
2 the Washington state patrol must report to the house and senate
3 transportation committees on the status of recruitment and retention
4 activities as follows:

5 (a) A summary of recruitment and retention strategies;

6 (b) The number of transportation funded staff vacancies by major
7 category;

8 (c) The number of applicants for each of the positions by these
9 categories;

10 (d) The composition of workforce;

11 (e) Other relevant outcome measures with comparative information
12 with recent comparable months in prior years; and

13 (f) Activities related to the implementation of the agency's
14 workforce diversity plan, including short-term and long-term,
15 specific comprehensive outreach and recruitment strategies to
16 increase populations underrepresented within both commissioned and
17 noncommissioned employee groups.

18 (5) \$493,000 of the state patrol highway account—state
19 appropriation is provided solely for aerial criminal investigation
20 tools, including software licensing and maintenance, and annual
21 certification, and is subject to the conditions, limitations, and
22 review requirements of section 701, chapter 333, Laws of 2021.

23 (6) \$6,422,000 of the state patrol highway account—state
24 appropriation is provided solely for the land mobile radio system
25 replacement, upgrade, and other related activities. Beginning January
26 1, 2022, the Washington state patrol must report semiannually to the
27 office of the state chief information officer on the progress related
28 to the projects and activities associated with the land mobile radio
29 system, including the governance structure, outcomes achieved in the
30 prior six month time period, and how the activities are being managed
31 holistically as recommended by the office of the chief information
32 officer. At the time of submittal to the office of the state chief
33 information officer, this report shall be transmitted to the office
34 of financial management and the house and senate transportation
35 committees.

36 (7) \$510,000 of the ignition interlock device revolving account—
37 state appropriation is provided solely for the ignition interlock
38 program at the Washington state patrol to provide funding for two
39 staff to work and provide support for the program in working with

1 manufacturers, service centers, technicians, and participants in the
2 program.

3 (8) \$1,348,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$433,000 of the state
5 route number 520 corridor account—state appropriation, and \$77,000 of
6 the Tacoma Narrows toll bridge account—state appropriation are
7 provided solely for the Washington state patrol's proportional share
8 of time spent supporting tolling operations and enforcement for the
9 respective tolling facilities.

10 (9) \$289,000 of the state patrol highway account—state
11 appropriation is provided solely for the replacement of 911
12 workstations.

13 (10) \$35,000 of the state patrol highway account—state
14 appropriation is provided solely for the replacement of bomb response
15 equipment.

16 (11) \$713,000 of the state patrol highway account—state
17 appropriation is provided solely for information technology
18 infrastructure maintenance.

19 (12) The Washington state patrol must provide a report to the
20 office of financial management and the house and senate
21 transportation committees on its plan for implementing a transition
22 to cloud computing and storage with its 2023-2025 budget submittal.

23 (13) \$945,000 of the state patrol highway account—state
24 appropriation is provided solely for implementation of chapter 329,
25 Laws of 2021 (custodial interrogations).

26 (14) \$46,000 of the state patrol highway account—state
27 appropriation is provided solely for implementation of chapter 320,
28 Laws of 2021 (peace officer tactics).

29 (15) \$46,000 of the state patrol highway account—state
30 appropriation is provided solely for implementation of chapter 324,
31 Laws of 2021 (use of force by officers).

32 (16) (a) The legislature finds that the water connection extension
33 constructed by the Washington state patrol from the city of Shelton's
34 water facilities to the Washington state patrol academy was necessary
35 to meet the water supply needs of the academy. The legislature also
36 finds that the water connection provides an ongoing water supply that
37 is necessary to the operation of the training facility, that the
38 state is making use of the water connection for these public
39 activities, and that any future incidental use of the municipal

1 infrastructure put in place to support these activities will not
2 impede the Washington state patrol's ongoing use of the water
3 connection extension.

4 (b) \$2,220,000 of the transfer from the waste tire removal
5 account to the motor vehicle fund, as required under RCW 70A.205.425,
6 reimburses the motor vehicle fund for the portion of the water
7 project costs assigned by the agreement to properties, other than the
8 Washington state patrol academy, that make use of the water
9 connection while the agreement remains in effect. This reimbursement
10 to the motor vehicle fund is intended to address any possibility that
11 the termination of this agreement could be determined to result in
12 the unconstitutional use of 18th amendment designated funds for
13 nonhighway purposes under the constitution of the state of
14 Washington; however, this transfer is not intended to indicate that
15 the incidental use of this infrastructure by these properties
16 necessarily requires such reimbursement under the state Constitution.
17 Immediately following the transfer of funds, Washington state patrol
18 and the city of Shelton shall meet to formally update the terms of
19 their "Agreement for Utility Connection and Reimbursement of Water
20 Extension Expenses" executed on June 12, 2017, to reflect the intent
21 of the proviso.

22 (17) The appropriations in this section provide sufficient
23 funding for state patrol staffing assuming vacancy savings which may
24 change over time. Funding for staffing will be monitored and adjusted
25 in the 2023 supplemental budget to restore funding as authorized
26 staffing levels are achieved.

27 (18) \$331,000 of the state patrol highway account—state
28 appropriation is provided solely for the state patrol's diversity,
29 equity, and inclusion program and a contract with an external
30 psychologist to perform exams. If chapter 146, Laws of 2022 is not
31 enacted by June 30, 2022, the amount provided in this subsection
32 lapses.

33 (19) \$793,000 of the state patrol highway account—state
34 appropriation is provided solely for the tenant improvements and
35 higher than expected equipment costs for the toxicology lab in
36 Federal Way, and preparing a report on the current cost recovery
37 mechanisms and opportunities for expanding these cost recovery
38 mechanisms in the future. The report must be submitted to the
39 governor and the transportation committees of the legislature by
40 November 1, 2022.

1 (20) \$14,788,000 of the state patrol highway account—state
2 appropriation is provided solely for contingency funding to address
3 emergent issues related to mitigating negative impacts of the high
4 level of commissioned and noncommissioned staff vacancies. Potential
5 uses of the funding include, but are not limited to, the following:
6 Operating a miniacademy and training opportunities for lateral
7 transfers from other agencies; increased overtime, travel, and other
8 related costs; increased contracting to maintain adequate service
9 levels; and unanticipated facility and equipment needs. By January 1,
10 2023, the state patrol must submit a report to the governor and the
11 transportation committees of the legislature detailing the specific
12 expenditures made from the contingency funding provided in this
13 subsection. The report must also include a description of the
14 miniacademy training, including the number of lateral transfers that
15 entered the training, the number which completed training, the cost
16 of the miniacademy, and a comparison of how the training was
17 different from a conventional academy class.

18 ~~(21) ((\$122,000 of the state patrol highway account—state~~
19 ~~appropriation, \$1,000 of the highway safety account—state~~
20 ~~appropriation, and \$4,000 of the ignition interlock account—state~~
21 ~~appropriation are provided solely for implementation of chapter . . .~~
22 ~~(House Bill No. 1804), Laws of 2022 (interruptive military service~~
23 ~~credit for members of the state retirement systems). If chapter . . .~~
24 ~~(House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,~~
25 ~~the amount provided in this subsection lapses.~~

26 ~~(22))~~ \$250,000 of the state patrol highway account—state
27 appropriation is provided solely for implementation of chapter 80,
28 Laws of 2022 (peace officers/use of force). If chapter 80, Laws of
29 2022 is not enacted by June 30, 2022, the amount provided in this
30 subsection lapses.

31 ~~((23))~~ (22) \$949,000 of the state patrol highway account—state
32 appropriation is provided solely for vehicle identification number
33 inspection staff to reduce the backlog of inspections and a study of
34 how to incorporate best practices into the program, including the
35 timeliness of inspections.

36 (23) \$595,000 of the state patrol highway account—state
37 appropriation is provided solely for legal expenses associated with
38 McClain v. Washington State Patrol.

1 **Sec. 1004.** 2022 c 186 s 208 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING**

4	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
5	Motorcycle Safety Education Account—State	
6	Appropriation.	\$5,016,000
7	Limited Fish and Wildlife Account—State	
8	Appropriation.	\$922,000
9	Highway Safety Account—State Appropriation.	(\$242,712,000)
10		<u>\$240,649,000</u>
11	Highway Safety Account—Federal Appropriation.	\$1,294,000
12	Motor Vehicle Account—State Appropriation.	(\$80,449,000)
13		<u>\$79,522,000</u>
14	Motor Vehicle Account—Federal Appropriation.	\$400,000
15	Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
16	Ignition Interlock Device Revolving Account—State	
17	Appropriation.	\$6,123,000
18	Department of Licensing Services Account—State	
19	Appropriation.	(\$7,964,000)
20		<u>\$7,872,000</u>
21	License Plate Technology Account—State Appropriation	
22	(\$4,092,000)
23		<u>\$4,045,000</u>
24	Abandoned Recreational Vehicle <u>Disposal</u> Account—State	
25	Appropriation.	\$3,078,000
26	Limousine Carriers Account—State Appropriation.	\$110,000
27	Electric Vehicle Account—State Appropriation.	\$425,000
28	((DOL)) <u>Department of Licensing</u> Technology Improvement	
29	((&)) <u>and</u> Data Management Account—State	
30	Appropriation.	\$874,000
31	Agency Financial Transaction Account—State	
32	Appropriation.	(\$22,257,000)
33		<u>\$21,360,000</u>
34	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,260,000</u>
35	TOTAL APPROPRIATION.	(\$377,086,000)
36		<u>\$374,320,000</u>

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

1 (1) \$1,100,000 of the highway safety account—state appropriation
2 is provided solely for the department to provide an interagency
3 transfer to the department of social and health services, children's
4 administration division for the purpose of providing driver's license
5 support to a larger population of foster youth than is already served
6 within existing resources. Support services include reimbursement of
7 driver's license issuance costs, fees for driver training education,
8 and motor vehicle liability insurance costs.

9 (2) The appropriations in this section assume implementation by
10 the department of cost recovery mechanisms to recoup at least
11 \$21,257,000 during the 2021-2023 biennium in credit card and other
12 financial transaction costs as part of charges imposed for driver and
13 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
14 department must report any amounts recovered to the office of
15 financial management and appropriate committees of the legislature on
16 a quarterly basis.

17 (3) (a) For the 2021-2023 biennium, the department shall charge
18 \$1,336,000 for the administration and collection of a motor vehicle
19 excise tax on behalf of a regional transit authority, as authorized
20 under RCW 82.44.135. The amount in this subsection must be deducted
21 before distributing any revenues to a regional transit authority.

22 (b) \$100,000 of the motor vehicle account—state appropriation is
23 provided solely for the department to work with the regional transit
24 authority imposing a motor vehicle excise tax pursuant to RCW
25 81.104.160 and transportation benefit districts imposing vehicle fees
26 pursuant to RCW 82.80.140, and other relevant parties, to determine
27 cost recovery options for the administration and collection of the
28 taxes and fees. The options must include:

29 (i) Full cost recovery for the direct and indirect expenses by
30 the department of licensing, subagents, and counties;

31 (ii) Marginal cost recovery for the direct and indirect expenses
32 by the department of licensing, subagents, and counties;

33 (iii) The estimated costs if the regional transit authority or
34 transportation benefit districts had to contract out the entire
35 collection and administrative activity with a nongovernmental entity.

36 (4) \$12,000 of the motorcycle safety education account—state
37 appropriation, \$2,000 of the limited fish and wildlife account—state
38 appropriation, \$728,000 of the highway safety account—state
39 appropriation, \$238,000 of the motor vehicle account—state

1 appropriation, \$10,000 of the ignition interlock device revolving
2 account—state appropriation, and \$10,000 of the department of
3 licensing services account—state appropriation are provided solely
4 for the department to redesign and improve its online services and
5 website, and are subject to the conditions, limitations, and review
6 requirements of section 701, chapter 333, Laws of 2021.

7 (5) \$28,636,000 of the highway safety account—state appropriation
8 is provided solely for costs necessary to accommodate increased
9 demand for enhanced drivers' licenses and enhanced identicards. The
10 department shall report on a quarterly basis on the use of these
11 funds, associated workload, and information with comparative
12 information with recent comparable months in prior years. The report
13 must include detailed statewide and by licensing service office
14 information on staffing levels, average monthly wait times, the
15 number of enhanced drivers' licenses and enhanced identicards issued/
16 renewed, and the number of primary drivers' licenses and identicards
17 issued/renewed. Within the amounts provided in this subsection, the
18 department shall implement efficiency measures to reduce the time for
19 licensing transactions and wait times including, but not limited to,
20 the installation of additional cameras at licensing service offices
21 that reduce bottlenecks and align with the "keep your customer"
22 initiative.

23 (6) \$500,000 of the highway safety account—state appropriation is
24 provided solely for communication and outreach activities necessary
25 to inform the public of federally acceptable identification options
26 including, but not limited to, enhanced drivers' licenses and
27 enhanced identicards. The department shall continue the outreach plan
28 that includes informational material that can be effectively
29 communicated to all communities and populations in Washington. To
30 accomplish this work, the department shall contract with an external
31 vendor with demonstrated experience and expertise in outreach and
32 marketing to underrepresented communities in a culturally responsive
33 fashion.

34 (7) \$523,000 of the highway safety account—state appropriation is
35 provided solely for the implementation of chapter 158, Laws of 2021
36 (DOL issued documents).

37 (8) \$929,000 of the highway safety account—state appropriation is
38 provided solely for the implementation of chapter 240, Laws of 2021
39 (suspension of licenses for traffic infractions).

1 (9) \$23,000 of the highway safety account—state appropriation is
2 provided solely for the implementation of chapter 10, Laws of 2021
3 (restoring voter eligibility after felony conviction).

4 (10) \$3,074,000 of the abandoned recreational vehicle disposal
5 account—state appropriation is provided solely for providing
6 reimbursements in accordance with the department's abandoned
7 recreational vehicle disposal reimbursement program. It is the intent
8 of the legislature that the department prioritize this funding for
9 allowable and approved reimbursements and not to build a reserve of
10 funds within the account. During the 2021-2023 fiscal biennium, the
11 department must report any amounts recovered to the office of
12 financial management and appropriate committees of the legislature on
13 a quarterly basis.

14 (11)(a) \$54,000 of the motor vehicle account—state appropriation
15 is provided solely for the issuance of nonemergency medical
16 transportation vehicle decals to implement the high occupancy vehicle
17 lane access pilot program established in section 216, chapter 333,
18 Laws of 2021. A for hire nonemergency medical transportation vehicle
19 is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that
20 provides nonemergency medical transportation, including for life-
21 sustaining transportation purposes, to meet the medical
22 transportation needs of individuals traveling to medical practices
23 and clinics, cancer centers, dialysis facilities, hospitals, and
24 other care providers.

25 (b) As part of this pilot program, the owner of a for hire
26 nonemergency medical transportation vehicle may apply to the
27 department, county auditor or other agent, or subagent appointed by
28 the director, for a high occupancy vehicle exempt decal for a for
29 hire nonemergency medical transportation vehicle. The high occupancy
30 vehicle exempt decal allows the for hire nonemergency medical
31 transportation vehicle to use a high occupancy vehicle lane as
32 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
33 biennium.

34 (c) For the exemption in this subsection to apply to a for hire
35 nonemergency medical transportation vehicle, the decal:

36 (i) Must be displayed on the vehicle so that it is clearly
37 visible from outside the vehicle;

38 (ii) Must identify that the vehicle is exempt from the high
39 occupancy vehicle requirements; and

1 (iii) Must be visible from the rear of the vehicle.

2 (d) The owner of a for hire nonemergency medical transportation
3 vehicle or the owner's representative must apply for a high occupancy
4 vehicle exempt decal on a form provided or approved by the
5 department. The application must include:

6 (i) The name and address of the person who is the owner of the
7 vehicle;

8 (ii) A full description of the vehicle, including its make,
9 model, year, and the vehicle identification number;

10 (iii) The purpose for which the vehicle is principally used;

11 (iv) An attestation signed by the vehicle's owner or the owner's
12 representative that the vehicle's owner has a minimum of one contract
13 or service agreement to provide for hire transportation services for
14 medical purposes with one or more of the following entities: A health
15 insurance company; a hospital, clinic, dialysis center, or other
16 medical institution; a day care center, retirement home, or group
17 home; a federal, state, or local agency or jurisdiction; or a broker
18 who negotiates these services on behalf of one or more of these
19 entities; and

20 (v) Other information as required by the department upon
21 application.

22 (e) The department, county auditor or other agent, or subagent
23 appointed by the director shall collect the fee required under (f) of
24 this subsection when issuing a high occupancy vehicle exempt decal.

25 (f) The department, county auditor or other agent, or subagent,
26 is required to collect a \$5 fee when issuing a decal under this
27 subsection, in addition to any other fees and taxes required by law.

28 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
29 and must be marked to indicate its expiration date. The decal may be
30 renewed if the pilot program is continued past the date of a decal's
31 expiration. The status as an exempt vehicle continues until the high
32 occupancy vehicle exempt decal is suspended or revoked for misuse,
33 the vehicle is no longer used as a for hire nonemergency medical
34 transportation vehicle, or the pilot program established in section
35 216, chapter 333, Laws of 2021 is terminated.

36 (h) The department may adopt rules to implement this subsection.

37 (12) \$434,000 of the highway safety account—state appropriation
38 is provided solely for the implementation of the Thurston county
39 superior court order in *Pierce et al. v. Department of Licensing*.

1 (13) The department shall consult with the department of
2 corrections and state board for community and technical colleges to
3 develop a pilot program that allows incarcerated individuals who are
4 not prohibited by state or federal law from receiving a commercial
5 driver's license upon release to participate in a prerelease
6 commercial driver training program. The department must submit a
7 report to the legislature by June 30, 2023, detailing the status of
8 the program.

9 (14) \$100,000 of the highway safety account—state appropriation
10 is provided solely for the department to lead a study on the
11 potential impacts that current licensing requirements, including
12 required training hours, and testing requirements may have on the
13 shortage of commercial drivers, and whether adjustments to these
14 requirements may be warranted to help alleviate the shortage. In
15 completing the study, the department must consult with the workforce
16 training board, state board for community and technical colleges,
17 federal motor carrier safety officials, organizations representing
18 veterans, organizations representing commercial drivers, and
19 organizations representing businesses or government entities that
20 rely on commercial drivers. The report must be submitted to the
21 governor and the transportation committees of the legislature by
22 December 1, 2022.

23 (15) \$965,000 of the motor vehicle account—state appropriation is
24 provided solely for the increased costs associated with delays in the
25 production of license plates, and to provide a report detailing
26 license plate inventory practices and whether those practices should
27 be changed to guard against potential future plate production delays.
28 The report must be submitted to the governor and the transportation
29 committees of the legislature by December 1, 2022.

30 (16) \$28,000 of the motor vehicle account—state appropriation is
31 provided solely for the implementation of chapter 96, Laws of 2022
32 (state leadership board) and making improvements to the annual
33 information submitted by special license plate sponsoring
34 organizations pursuant to RCW 46.18.120(2). The improvements must
35 include, but are not limited to, the following: An annual budget for
36 the sponsoring organization's activities in the preceding year;
37 information regarding private and other governmental support for the
38 activities of the sponsoring organization; and a description of the
39 number of people served or services delivered, as appropriate, by the

1 sponsoring organization in the preceding year. If chapter 96, Laws of
2 2022 is not enacted by June 30, 2022, the amount provided in this
3 subsection lapses.

4 (17) \$268,000 of the highway safety account—state appropriation
5 is provided solely for the implementation of chapter . . . (Engrossed
6 Senate Bill No. 5054), Laws of 2022 (impaired driving). If
7 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (18) \$113,000 of the highway safety account—state appropriation
11 is provided solely for the implementation of chapter 51, Laws of 2022
12 (human trafficking disqualification for a commercial driver's
13 license). If chapter 51, Laws of 2022 is not enacted by June 30,
14 2022, the amount provided in this subsection lapses.

15 (19) \$18,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 239, Laws of 2022
17 (Patches pal special license plates). If chapter 239, Laws of 2022 is
18 not enacted by June 30, 2022, the amount provided in this subsection
19 lapses.

20 (20) \$350,000 of the highway safety account—state appropriation
21 is provided solely to expand driver's license assistance and support
22 services in King county with an existing provider that is already
23 providing these services to low-income immigrant and refugee women.
24 By March 1, 2023, the contracted provider must submit information on
25 the annual budget in the preceding year; information regarding
26 private and other governmental support for the activities of the
27 provider; and a description of the number of people served, services
28 delivered, and outcome measures.

29 (21) \$6,139,000 of the highway safety account—state
30 appropriation, \$1,849,000 of the motor vehicle account—state
31 appropriation, \$203,000 of the department of licensing services
32 account—state appropriation, and \$105,000 of the department of
33 licensing technology improvement and data management account—state
34 appropriation are provided solely for contingency funding to address
35 emergent issues related to mitigating negative impacts of the high
36 level of staff vacancies and agency operations and customer service
37 levels. Potential uses of the funding include, but are not limited
38 to, the following: Increased overtime, travel, and other related
39 costs; increased contracting to maintain adequate service levels; and

1 unanticipated facility and equipment needs. By January 1, 2023, the
2 department shall submit a report to the governor and the legislative
3 transportation committees detailing the specific expenditures made
4 from the contingency funding provided in this subsection.

5 (22) \$28,000 of the motor vehicle account—state appropriation is
6 provided solely for the implementation of chapter 191, Laws of 2022
7 (veterans and military suicide). If chapter 191, Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (23) \$83,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter 36, Laws of 2022
12 (vehicle registration certificate addresses). If chapter 36, Laws of
13 2022 is not enacted by June 30, 2022, the amount provided in this
14 subsection lapses.

15 (24) \$57,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 40, Laws of 2022
17 (off-road vehicles fees). If chapter 40, Laws of 2022 is not enacted
18 by June 30, 2022, the amount provided in this subsection lapses.

19 (25) \$18,000 of the motor vehicle account—state appropriation is
20 provided solely for the implementation of chapter 117, Laws of 2022
21 (wine special license plate). If chapter 117, Laws of 2022 is not
22 enacted by June 30, 2022, the amount provided in this subsection
23 lapses.

24 (26) \$316,000 of the motor vehicle account—state appropriation is
25 provided solely for the implementation of chapter 132, Laws of 2022
26 (temporary license plates). If chapter 132, Laws of 2022 is not
27 enacted by June 30, 2022, the amount provided in this subsection
28 lapses.

29 (27) \$251,000 of the highway safety account—state appropriation
30 is provided solely for the department to: (a) Provide each driver's
31 license, identicard, instruction permit, intermediate license, and
32 commercial driver's license applicant with written materials
33 regarding the contents and requirements of RCW 46.61.212, the slow
34 down and move over law, at the completion of the applicant's
35 licensing transaction; (b) place signage in each of the licensing
36 service offices that provide background on the written materials that
37 the applicant will receive regarding the slow down and move over law;
38 and (c) initiate the development of an appropriate training module

1 relating to the requirements of RCW 46.61.212, for inclusion in all
2 new driver training curricula.

3 (28) \$550,000 of the move ahead WA flexible account—state
4 appropriation is provided solely for an interagency transfer to the
5 department of children, youth, and families to provide driver's
6 license support to a larger population of foster youth than is
7 currently being served. Support services include reimbursement of
8 driver's license issuance costs, fees for driver training education,
9 and motor vehicle liability insurance costs.

10 (29) \$569,000 of the move ahead WA flexible account—state
11 appropriation and \$103,000 of the agency financial transaction
12 account—state are for estimated implementation costs associated with
13 new revenues.

14 (30) \$141,000 of the move ahead WA flexible account—state
15 appropriation is provided solely for chapter 57, Laws of 2022
16 (homeless identicard).

17 **Sec. 1005.** 2022 c 186 s 209 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
20 **—PROGRAM B**

21	State Route Number 520 Corridor Account—State	
22	Appropriation.	((\$58,356,000))
23		<u>\$55,324,000</u>
24	State Route Number 520 Civil Penalties Account—State	
25	Appropriation.	\$4,163,000
26	Tacoma Narrows Toll Bridge Account—State	
27	Appropriation.	((\$31,102,000))
28		<u>\$33,330,000</u>
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	((\$21,806,000))
31		<u>\$23,725,000</u>
32	Interstate 405 and State Route Number 167 Express	
33	Toll Lanes Account—State Appropriation.	((\$24,647,000))
34		<u>\$23,146,000</u>
35	TOTAL APPROPRIATION.	((\$140,074,000))
36		<u>\$139,688,000</u>

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

1 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
2 appropriation and \$12,484,000 of the state route number 520 corridor
3 account—state appropriation are provided solely for the purposes of
4 addressing unforeseen operations and maintenance costs on the Tacoma
5 Narrows bridge and the state route number 520 bridge, respectively.
6 The office of financial management shall place the amounts provided
7 in this subsection, which represent a portion of the required minimum
8 fund balance under the policy of the state treasurer, in unallotted
9 status. The office may release the funds only when it determines that
10 all other funds designated for operations and maintenance purposes
11 have been exhausted.

12 (2) As long as the facility is tolled, the department must
13 provide annual reports to the transportation committees of the
14 legislature on the Interstate 405 express toll lane project
15 performance measures listed in RCW 47.56.880(4). These reports must
16 include:

17 (a) Information on the travel times and travel time reliability
18 (at a minimum, average and 90th percentile travel times) maintained
19 during peak and nonpeak periods in the express toll lanes and general
20 purpose lanes for both the entire corridor and commonly made trips in
21 the corridor including, but not limited to, northbound from Bellevue
22 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
23 state route number 522, Bellevue to Bothell (both NE 8th to state
24 route number 522 and NE 8th to state route number 527), and a trip
25 internal to the corridor (such as NE 85th to NE 160th) and similar
26 southbound trips;

27 (b) A month-to-month comparison of travel times and travel time
28 reliability for the entire corridor and commonly made trips in the
29 corridor as specified in (a) of this subsection since implementation
30 of the express toll lanes and, to the extent available, a comparison
31 to the travel times and travel time reliability prior to
32 implementation of the express toll lanes;

33 (c) Total express toll lane and total general purpose lane
34 traffic volumes, as well as per lane traffic volumes for each type of
35 lane (i) compared to total express toll lane and total general
36 purpose lane traffic volumes, as well as per lane traffic volumes for
37 each type of lane, on this segment of Interstate 405 prior to
38 implementation of the express toll lanes and (ii) compared to total
39 express toll lane and total general purpose lane traffic volumes, as

1 well as per lane traffic volumes for each type of lane, from month to
2 month since implementation of the express toll lanes; and

3 (d) Underlying congestion measurements, that is, speeds, that are
4 being used to generate the summary graphs provided, to be made
5 available in a digital file format.

6 (3) (a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state
7 route number 167 express toll lanes account—state appropriation,
8 (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor
9 account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma
10 Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~)
11 \$1,155,000 of the Alaskan Way viaduct replacement project account—
12 state appropriation are provided solely for the reappropriation of
13 unspent funds on the new tolling back office system from the
14 2019-2021 biennium.

15 (b) The office of financial management shall place the amounts
16 provided in this subsection in unallotted status until the department
17 submits a detailed progress report on the progress of the new tolling
18 back office system. The director of the office of financial
19 management or their designee shall consult with the chairs and
20 ranking members of the transportation committees of the legislature
21 prior to making a decision to allot these funds.

22 (4) \$121,000 of the Interstate 405 and state route number 167
23 express toll lanes account—state appropriation, \$288,000 of the state
24 route number 520 corridor account—state appropriation, \$128,000 of
25 the Tacoma Narrows toll bridge account—state appropriation, and
26 \$163,000 of the Alaskan Way viaduct replacement project account—state
27 appropriation are provided solely for the department to contract with
28 the state auditor's office for a performance audit of the
29 department's project to replace its electronic toll collection
30 system. The audit should include an evaluation of the department's
31 project planning, vendor procurement, contract management and project
32 oversight. The final report is to be issued by December 31, 2022. The
33 state auditor will transmit copies of the report to the
34 jurisdictional committees of the legislature and the department.

35 (5) The department shall make detailed annual reports to the
36 transportation committees of the legislature and the public on the
37 department's web site on the following:

38 (a) The use of consultants in the tolling program, including the
39 name of the contractor, the scope of work, the type of contract,

1 timelines, deliverables, any new task orders, and any extensions to
2 existing consultant contracts;

3 (b) The nonvendor costs of administering toll operations,
4 including the costs of staffing the division, consultants, and other
5 personal service contracts required for technical oversight and
6 management assistance, insurance, payments related to credit card
7 processing, transponder purchases and inventory management, facility
8 operations and maintenance, and other miscellaneous nonvendor costs;

9 (c) The vendor-related costs of operating tolled facilities,
10 including the costs of the customer service center, cash collections
11 on the Tacoma Narrows bridge, electronic payment processing, and toll
12 collection equipment maintenance, renewal, and replacement;

13 (d) The toll adjudication process, including a summary table for
14 each toll facility that includes:

15 (i) The number of notices of civil penalty issued;

16 (ii) The number of recipients who pay before the notice becomes a
17 penalty;

18 (iii) The number of recipients who request a hearing and the
19 number who do not respond;

20 (iv) Workload costs related to hearings;

21 (v) The cost and effectiveness of debt collection activities; and

22 (vi) Revenues generated from notices of civil penalty; and

23 (e) A summary of toll revenue by facility on all operating toll
24 facilities and express toll lane systems, and an itemized depiction
25 of the use of that revenue.

26 (6) During the 2021-2023 fiscal biennium, the department plans to
27 issue a request for proposals as the first stage of a competitive
28 procurement process that will replace the toll equipment and select a
29 new tolling operator for the Tacoma Narrows Bridge. The request for
30 proposals and subsequent competitive procurement must incorporate
31 elements that prioritize the overall goal of lowering costs per
32 transaction for the facility, such as incentives for innovative
33 approaches which result in lower transactional costs, requests for
34 efficiencies on the part of the bidder that lower operational costs,
35 and incorporation of technologies such as self-serve credit card
36 machines or other point-of-payment technologies that lower costs or
37 improve operational efficiencies.

38 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
39 account—state appropriation is provided solely for the new state
40 route number 99 tunnel toll facility's expected share of collecting

1 toll revenues, operating customer services, and maintaining toll
2 collection systems. The legislature expects to see appropriate
3 reductions to the other toll facility accounts once tolling on the
4 new state route number 99 tunnel toll facility stabilizes and any
5 previously incurred costs for start-up of the new facility are
6 charged back to the Alaskan Way viaduct replacement project account.
7 The office of financial management shall closely monitor the
8 application of the cost allocation model and ensure that the new
9 state route number 99 tunnel toll facility is adequately sharing
10 costs and the other toll facility accounts are not being overspent or
11 subsidizing the new state route number 99 tunnel toll facility.

12 (8) The department shall submit a plan to the legislature for the
13 Interstate 405 and state route number 167 express toll lanes account
14 detailing how bond proceeds can cover the proposed construction plan
15 on the Interstate 405 and state route number 167 express toll lane
16 corridor outlined on LEAP Transportation Document 2021-1 as developed
17 April 23, 2021, by January 1, 2022.

18 (9) (~~(\$4,554,000)~~) \$5,779,000 of the state route number 520
19 corridor account—state appropriation and (~~(\$580,000)~~) \$744,000 of the
20 Tacoma Narrows toll bridge account—state appropriation are provided
21 solely for the increased costs of insurance for the state route
22 number 520 floating bridge and the Tacoma Narrows bridge,
23 respectively. The department shall conduct an evaluation of the short
24 and long-term costs and benefits including risk mitigation of self-
25 insurance as compared to the commercial insurance option for the
26 state route number 520 floating bridge, as allowed under the terms of
27 the state route number 520 master bond resolution. By December 15,
28 2021, the department shall report to the legislature on the results
29 of this evaluation.

30 (10) As part of the department's 2023-2025 biennial budget
31 request, the department shall update the cost allocation
32 recommendations that assign appropriate costs to each of the toll
33 funds for services provided by relevant Washington state department
34 of transportation programs, the Washington state patrol, and the
35 transportation commission. The recommendations shall be based on
36 updated traffic and toll transaction patterns and other relevant
37 factors.

38 (11) All amounts provided for operations and maintenance expenses
39 on the SR 520 facility from the state route number 520 corridor
40 account during the 2021-2023 fiscal biennium in this act, up to a

1 maximum of \$59,567,000, are derived from the receipt of federal
2 American rescue plan act of 2021 funds and not toll revenues.

3 (12) \$14,000 of the Interstate 405 and state route number 167
4 express toll lanes account—state appropriation, \$32,000 of the state
5 route number 520 corridor account—state appropriation, \$22,000 of the
6 Tacoma Narrows toll bridge account—state appropriation, and \$27,000
7 of the Alaskan Way viaduct replacement project account—state
8 appropriation are provided solely to implement chapter 132, Laws of
9 2022 (temporary license plates). If chapter 132, Laws of 2022 is not
10 enacted by June 30, 2022, the amounts provided in this subsection
11 lapse.

12 **Sec. 1006.** 2022 c 186 s 210 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
15 **C**

16 Transportation Partnership Account—State	
17 Appropriation.	\$1,461,000
18 Motor Vehicle Account—State Appropriation.	(\$101,010,000)
19	<u>\$101,020,000</u>
20 Puget Sound Ferry Operations Account—State	
21 Appropriation.	\$307,000
22 Multimodal Transportation Account—State	
23 Appropriation.	\$7,013,000
24 Transportation 2003 Account (Nickel Account)—State	
25 Appropriation.	\$1,461,000
26 TOTAL APPROPRIATION.	(\$111,252,000)
27	<u>\$111,262,000</u>

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

30 (1) \$4,273,000 of the multimodal transportation account—state
31 appropriation and \$4,273,000 of the motor vehicle account—state
32 appropriation are provided solely for the department's cost related
33 to the one Washington project, and is subject to the conditions,
34 limitations, and review requirements of section 701, chapter 333,
35 Laws of 2021.

36 (2) \$2,404,000 of the motor vehicle account—state appropriation
37 and \$119,000 of the multimodal transportation account—state
38 appropriation are provided solely for contingency funding to address

1 emergent issues related to mitigating negative impacts of the high
2 level of staff vacancies. Potential uses of the funding include, but
3 are not limited to, the following: Increased overtime, travel, and
4 other related costs; increased contracting to maintain adequate
5 service levels; and unanticipated facility and equipment needs. By
6 January 1, 2023, the department must submit a report to the governor
7 and the transportation committees of the legislature detailing the
8 specific expenditures made from the contingency funding provided in
9 this subsection.

10 **Sec. 1007.** 2022 c 186 s 211 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
13 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

14 Motor Vehicle Account—State Appropriation.	((\$36,843,000))
	<u>\$37,921,000</u>
16 State Route Number 520 Corridor Account—State	
17 Appropriation.	\$34,000
18 TOTAL APPROPRIATION.	((\$36,877,000))
	<u>\$37,955,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations: \$780,000 of the motor vehicle account—
22 state appropriation is provided solely for contingency funding to
23 address emergent issues related to mitigating negative impacts of the
24 high level of staff vacancies. Potential uses of the funding include,
25 but are not limited to, the following: Increased overtime, travel,
26 and other related costs; increased contracting to maintain adequate
27 service levels; and unanticipated facility and equipment needs. By
28 January 1, 2023, the department must submit a report to the governor
29 and the transportation committees of the legislature detailing the
30 specific expenditures made from the contingency funding provided in
31 this subsection.

32 **Sec. 1008.** 2022 c 186 s 212 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
35 **PROGRAM E**

36 Motor Vehicle Account—State Appropriation.	((\$12,396,000))
	<u>\$13,860,000</u>

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

3 (1) (~~(\$10,396,000)~~) \$11,860,000 of the motor vehicle account—
4 state appropriation is provided solely for the department's costs
5 related to replacing obsolete transportation equipment. The
6 appropriations to the department in this section must be expended to
7 maximize the amount of obsolete equipment replaced in the 2021-2023
8 biennium.

9 (2) \$2,000,000 of the motor vehicle account—state appropriation
10 is provided solely for the department's costs related to replacing
11 snow removal equipment. The appropriations to the department in this
12 section must be expended to maximize the amount of snow removal
13 equipment replaced in the 2021-2023 biennium.

14 **Sec. 1009.** 2022 c 186 s 213 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

17 Aeronautics Account—State Appropriation.	((\$8,127,000))
18	<u>\$9,129,000</u>
19 Aeronautics Account—Federal Appropriation.	\$3,916,000
20 Aeronautics Account—Private/Local Appropriation.	\$60,000
21 Multimodal Transportation Account—State	
22 Appropriation.	\$150,000
23 <u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$10,000</u>
24 TOTAL APPROPRIATION.	((\$12,253,000))
25	<u>\$13,265,000</u>

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

28 (1) \$2,888,000 of the aeronautics account—state appropriation is
29 provided solely for the airport aid grant program, which provides
30 competitive grants to public use airports for pavement, safety,
31 maintenance, planning, and security.

32 (2) \$257,000 of the aeronautics account—state appropriation is
33 provided solely for supporting the commercial aviation coordinating
34 commission, pursuant to section 718, chapter 333, Laws of 2021.

35 (3) \$280,000 of the aeronautics account—state appropriation is
36 provided solely for the implementation of chapter 131, Laws of 2021
37 (unpiloted aircraft system state coordinator). If chapter 131, Laws

1 of 2021 is not enacted by June 30, 2021, the amount provided in this
2 subsection lapses.

3 (4) (a) \$150,000 of the multimodal transportation account—state
4 appropriation is provided solely for the aviation program to continue
5 the community engagement associated with the work of the commercial
6 aviation coordinating commission to increase aviation capacity and
7 provide a single preferred location for a new primary commercial
8 aviation facility by June 15, 2023. The work of the commission shall
9 include, but is not limited to, recommendations to the legislature on
10 future Washington state long-range commercial aviation facility needs
11 including possible additional aviation facilities or expansion of
12 current aviation facilities.

13 (b) Community engagement efforts may include:

14 (i) Raising awareness among aviation stakeholders and the public
15 on the complex issues that must be addressed by the commission;

16 (ii) Obtaining input from a representative cross section of the
17 public on the construction of a new airport and the expansion of
18 existing airports to meet future aviation demand;

19 (iii) Keeping people informed as the commission's work
20 progresses, including diverse communities that are often
21 underrepresented in processes to inform decision making;

22 (iv) Providing opportunities for members of the public to provide
23 direct input to the commission during the pandemic that limits
24 opportunities for direct social contact;

25 (v) Using surveys, open houses, focus groups, translation
26 services, informational handouts, advertisements, social media, and
27 other appropriate means of communicating with the public; and

28 (vi) Providing a focus on the demographics or people in the
29 geographical areas most impacted by expanding aviation capacity or
30 developing a new aviation facility.

31 (c) The department may use a communications consultant or
32 community-based organizations to assist with community engagement
33 efforts in (b) of this subsection.

34 (5) \$10,000 of the move ahead WA flexible account—state
35 appropriation is provided solely for the creation of a sustainable
36 aviation grant program for airports. The purpose of the grant program
37 is to support adoption of zero emissions aircraft and sustainable
38 aviation fuels, reduce harmful aviation-related emissions, and reduce
39 the aviation industry's reliance on fossil fuels. Sustainable
40 aviation projects may include, but are not limited to: (a)

1 Sustainable aviation fuel storage; (b) electrification of ground
2 support equipment; (c) electric aircraft charging infrastructure; (d)
3 airport clean power production; or (e) electric vehicle charging
4 stations whose infrastructure also supports ground support equipment
5 and electric aircraft charging. The department must select projects,
6 which may include planning, to propose to the legislature for
7 funding. The department shall submit a report to the transportation
8 committees of the legislature by December 1, 2022, identifying the
9 initial selection of sustainable aviation projects for funding by the
10 legislature and recommended changes to modify and sustain the
11 program.

12 (6) \$1,000,000 of the aeronautics account—state appropriation is
13 provided solely for move ahead WA aviation grants.

14 **Sec. 1010.** 2022 c 186 s 214 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
17 **SUPPORT—PROGRAM H**

18 Motor Vehicle Account—State Appropriation.	((\$58,254,000))
	<u>\$57,864,000</u>
20 Motor Vehicle Account—Federal Appropriation.	\$500,000
21 Multimodal Transportation Account—State	
22 Appropriation.	\$758,000
23 TOTAL APPROPRIATION.	((\$59,512,000))
24	<u>\$59,122,000</u>

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

27 (1) The legislature recognizes that the trail known as the Rocky
28 Reach Trail, and its extensions, serve to separate motor vehicle
29 traffic from pedestrians and bicyclists, increasing motor vehicle
30 safety on state route number 2 and the coincident section of state
31 route number 97. Consistent with chapter 47.30 RCW and pursuant to
32 RCW 47.12.080, the legislature declares that transferring portions of
33 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
34 associated buffer areas to the Washington state parks and recreation
35 commission is consistent with the public interest. The legislature
36 directs the department to transfer the property to the Washington
37 state parks and recreation commission.

1 (a) The department must be paid fair market value for any
2 portions of the transferred real property that is later abandoned,
3 vacated, or ceases to be publicly maintained for trail purposes.

4 (b) Prior to completing the transfer in this subsection (1), the
5 department must ensure that provisions are made to accommodate
6 private and public utilities and any facilities that predate the
7 department's acquisition of the property, at no cost to those
8 entities. Prior to completing the transfer, the department shall also
9 ensure that provisions, by fair market assessment, are made to
10 accommodate other private and public utilities and any facilities
11 that have been legally allowed by permit or other instrument.

12 (c) The department may sell any adjoining property that is not
13 necessary to support the Rocky Reach Trail and adjacent buffer areas
14 only after the transfer of trail-related property to the Washington
15 state parks and recreation commission is complete. Adjoining property
16 owners must be given the first opportunity to acquire such property
17 that abuts their property, and applicable boundary line or other
18 adjustments must be made to the legal descriptions for recording
19 purposes.

20 (2) With respect to Parcel 12 of the real property conveyed by
21 the state of Washington to the city of Mercer Island under that
22 certain quitclaim deed, dated April 19, 2000, recorded in King county
23 under recording no. 20000425001234, the requirement in the deed that
24 the property be used for road/street purposes only will be deemed
25 satisfied by the department of transportation so long as commuter
26 parking, as part of the vertical development of the property, is one
27 of the significant uses of the property.

28 (3) The department shall report to the transportation committees
29 of the legislature by December 1, 2021, on the status of its efforts
30 to consolidate franchises for broadband facilities across the state,
31 including plans for increasing the number of consolidated franchises
32 in the future.

33 (4) During the 2021-2023 biennium, if the department takes
34 possession of the property situated in the city of Edmonds for which
35 a purchase agreement was executed between Unocal and the department
36 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
37 confirms that the property is still no longer needed for
38 transportation purposes, the department shall provide the city of
39 Edmonds with the right of first purchase at fair market value in
40 accordance with RCW 47.12.063(3) for the city's intended use of the

1 property to rehabilitate near-shore habitat for salmon and related
2 species.

3 (5) (~~(\$535,000)~~) \$125,000 of the motor vehicle account—state
4 appropriation is provided solely for the implementation of chapter
5 217, Laws of 2021 (noxious weeds).

6 (6) \$1,026,000 of the multimodal transportation account—state
7 appropriation is provided solely for the implementation of chapter
8 314, Laws of 2021 (environmental justice task force).

9 (7) \$2,399,000 of the motor vehicle account—state appropriation
10 is provided solely for contingency funding to address emergent issues
11 related to mitigating negative impacts of the high level of staff
12 vacancies. Potential uses of the funding include, but are not limited
13 to, the following: Increased overtime, travel, and other related
14 costs; increased contracting to maintain adequate service levels; and
15 unanticipated facility and equipment needs. By January 1, 2023, the
16 department must submit a report to the governor and the
17 transportation committees of the legislature detailing the specific
18 expenditures made from the contingency funding provided in this
19 subsection.

20 (8) The department shall offer to sell the northern parcel of
21 site 14 on the Puget Sound Gateway Program SR 509 Completion Project
22 Surplus Property list, located immediately south of S. 216th Street
23 and adjacent to the Barnes Creek Nature Trail in Des Moines, to
24 Seattle Goodwill Industries, a nonprofit organization with tax ID
25 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in
26 accordance with RCW 47.12.063 at fair market value because the
27 legislature finds it in the public interest to do so for the public
28 benefit that will result from Goodwill's redevelopment of the
29 property it owns at Rainier Ave. South and South Dearborn Street to
30 increase the supply of affordable housing.

31 **Sec. 1011.** 2022 c 186 s 215 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
34 **PROGRAM K**

35	Motor Vehicle Account—State Appropriation.	\$685,000
36	Electric Vehicle Account—State Appropriation.	((\$11,900,000))
37		<u>\$9,164,000</u>
38	Multimodal Transportation Account—State	

1	Appropriation.	((\$3,290,000))
2		<u>\$2,790,000</u>
3	<u>Multimodal Transportation Account—Federal</u>	
4	<u>Appropriation.</u>	<u>\$500,000</u>
5	TOTAL APPROPRIATION.	((\$15,875,000))
6		<u>\$13,139,000</u>

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

9 (1) The public-private partnerships program must continue to
10 explore retail partnerships at state-owned park and ride facilities,
11 as authorized in RCW 47.04.295.

12 (2) (~~(\$10,900,000)~~) \$9,154,000 of the electric vehicle account—
13 state appropriation is provided solely for the clean alternative fuel
14 vehicle charging and refueling infrastructure program in chapter 287,
15 Laws of 2019 (advancing green transportation adoption).

16 (3) \$2,400,000 of the multimodal transportation account—state
17 appropriation is provided solely for the pilot program established
18 under chapter 287, Laws of 2019 (advancing green transportation
19 adoption) to provide clean alternative fuel vehicle use opportunities
20 to underserved communities and low to moderate income members of the
21 workforce not readily served by transit or located in transportation
22 corridors with emissions that exceed federal or state emissions
23 standards. Consistent with the geographical diversity element
24 described in RCW 47.04.355(4), the legislature strongly encourages
25 the department to consider implementing the pilot in both urban and
26 rural communities if possible, to obtain valuable information on the
27 needs of underserved communities located in different geographical
28 locations in Washington.

29 (4) (~~(\$1,000,000 of the electric vehicle account state~~
30 ~~appropriation and \$500,000 of the multimodal transportation account—~~
31 ~~state appropriation are provided solely for a colocated DC fast~~
32 ~~charging and hydrogen fueling station near the Wenatchee or East~~
33 ~~Wenatchee area near a state route or near or on a publicly owned~~
34 ~~facility to service passenger, light-duty and heavy-duty vehicles.~~
35 ~~The hydrogen fueling station must include a DC fast charging station~~
36 ~~colocated at the hydrogen fueling station site. Funds may be used for~~
37 ~~one or more fuel cell electric vehicles that would utilize the~~
38 ~~fueling stations. The department must contract with a public utility~~
39 ~~district that produces hydrogen in the area to own and/or manage and~~

1 provide technical assistance for the design, planning, permitting,
2 construction, maintenance and operation of the hydrogen fueling
3 station. The department and public utility district are encouraged to
4 collaborate with and seek contributions from additional public and
5 private partners for the fueling station.

6 ~~(5))~~ \$140,000 of the multimodal transportation account—state
7 appropriation is provided solely for the purpose of conducting an
8 assessment of options for the development, including potential
9 features and costs, for a publicly available mapping and forecasting
10 tool that provides locations and essential information of charging
11 and refueling infrastructure to support forecasted levels of electric
12 vehicle adoption, travel, and usage across Washington state as
13 described in chapter 300, Laws of 2021 (preparedness for a zero
14 emissions transportation future).

15 ~~((6))~~ (5) \$250,000 of the multimodal transportation account—
16 state appropriation is provided solely to fund the design of an
17 electric charging mega-site project at Mount Vernon library commons.

18 (6) \$500,000 of the multimodal transportation account—federal
19 appropriation and \$10,000 of the electric vehicle account—state
20 appropriation are provided solely to implement the national electric
21 vehicle program, established in the federal infrastructure investment
22 and jobs act (P.L. 117-58), as directed by the interagency electric
23 vehicle coordinating council created in chapter 182, Laws of 2022.

24 **Sec. 1012.** 2022 c 186 s 216 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

27 Motor Vehicle Account—State Appropriation.	((505,015,000))
28	<u>\$506,500,000</u>
29 Motor Vehicle Account—Federal Appropriation.	\$7,000,000
30 Motor Vehicle Account—Local Appropriation.	\$17,000
31 State Route Number 520 Corridor Account—State	
32 Appropriation.	\$4,657,000
33 Tacoma Narrows Toll Bridge Account—State	
34 Appropriation.	\$1,560,000
35 Alaskan Way Viaduct Replacement Project Account—	
36 State Appropriation.	\$8,611,000
37 Interstate 405 and State Route Number 167 Express	
38 Toll Lanes Account—State Appropriation.	\$2,594,000

1	Waste Tire Removal Account—State Appropriation.	\$5,000,000
2	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$47,000,000</u>
3	TOTAL APPROPRIATION.	((\$534,454,000))
4		<u>\$582,939,000</u>

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

7 (1) \$7,529,000 of the motor vehicle account—state appropriation
8 is provided solely for utility fees assessed by local governments as
9 authorized under RCW 90.03.525 for the mitigation of stormwater
10 runoff from state highways. Plan and reporting requirements as
11 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
12 shall be consistent with the January 2012 findings of the Joint
13 Transportation Committee Report for Effective Cost Recovery Structure
14 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

15 (2) \$5,000,000 of the motor vehicle account—state appropriation
16 is provided solely for a contingency pool for snow and ice removal.
17 The department must notify the office of financial management and the
18 transportation committees of the legislature when they have spent the
19 base budget for snow and ice removal and will begin using the
20 contingency pool funding.

21 (3) \$1,025,000 of the motor vehicle account—state appropriation
22 is provided solely for the department to implement safety
23 improvements and debris clean up on department-owned rights-of-way in
24 the city of Seattle at levels above that being implemented as of
25 January 1, 2019, to be administered in conjunction with subsection
26 (9) of this section. The department must maintain a crew dedicated
27 solely to collecting and disposing of garbage, clearing debris or
28 hazardous material, and implementing safety improvements where
29 hazards exist to the traveling public, department employees, or
30 people encamped upon department-owned rights-of-way. The department
31 may request assistance from the Washington state patrol as necessary
32 in order for both agencies to provide enhanced safety-related
33 activities regarding the emergency hazards along state highway
34 rights-of-way in the Seattle area.

35 (4) \$1,015,000 of the motor vehicle account—state appropriation
36 is provided solely for a partnership program between the department
37 and the city of Tacoma, to be administered in conjunction with
38 subsection (9) of this section. The program shall address the safety
39 and public health problems created by homeless encampments on the

1 department's property along state highways within the city limits.
2 \$570,000 is for dedicated department maintenance staff and associated
3 clean-up costs. The department and the city of Tacoma shall enter
4 into a reimbursable agreement to cover up to \$445,000 of the city's
5 expenses for clean-up crews and landfill costs.

6 (5) The department must continue a pilot program for the
7 2021-2023 fiscal biennium at the four highest demand safety rest
8 areas to create and maintain an online calendar for volunteer groups
9 to check availability of weekends for the free coffee program. The
10 calendar must be updated at least weekly and show dates and times
11 that are, or are not, available to participate in the free coffee
12 program. The department must submit a report to the legislature on
13 the ongoing pilot by December 1, 2022, outlining the costs and
14 benefits of the online calendar pilot, and including surveys from the
15 volunteer groups and agency staff to determine its effectiveness.

16 (6) \$686,000 of the motor vehicle account—state appropriation is
17 provided solely for reimbursing the Oregon department of
18 transportation (ODOT) for the department's share of increased
19 maintenance costs of six highway bridges over the Columbia River that
20 are maintained by ODOT.

21 (7) \$8,290,000 of the motor vehicle account—state appropriation
22 is provided solely for increased costs of highway maintenance
23 materials.

24 (8) \$5,816,000 of the motor vehicle account—state appropriation
25 is provided solely for a contingency pool for repairing damages to
26 highways caused by known and unknown third parties. The department
27 must notify the office of financial management and the transportation
28 committees of the legislature when they have spent the base budget
29 for third-party damage repair and will begin using the contingency
30 pool funding.

31 (9) (a) \$3,000,000 of the motor vehicle account—state
32 appropriation and \$5,000,000 of the waste tire removal account—state
33 appropriation are provided solely for the department to address the
34 risks to safety and public health associated with homeless
35 encampments on department owned rights-of-way. The department must
36 coordinate and work with local government officials and social
37 service organizations who provide services and direct people to
38 housing alternatives that are not in highway rights-of-way to help
39 prevent future encampments from forming on highway rights-of-way, and

1 may reimburse the organizations doing this outreach assistance who
2 transition people into treatment or housing or for debris clean up on
3 highway rights-of-way. A minimum of \$2,000,000 of this appropriation
4 must be used to provide more frequent removal of litter on the
5 highway rights-of-way that is generated by unsheltered people and may
6 be used to hire crews specializing in collecting and disposing of
7 garbage, clearing debris or hazardous material, and implementing
8 safety improvements where hazards exist to the traveling public and
9 department employees. The department may use these funds to either
10 reimburse local law enforcement costs or the Washington state patrol
11 if they are providing enhanced safety to department staff during
12 debris cleanup or during efforts to prevent future encampments from
13 forming on highway rights-of-way.

14 (b) Beginning November 1, 2022, and semiannually thereafter, the
15 Washington state patrol and the department of transportation must
16 jointly submit a report to the governor and the house and senate
17 transportation committees of the legislature on the status of these
18 efforts, including:

19 (i) A detailed breakout of the size, location, risk level
20 categorization, and number of encampments on or near department-owned
21 rights-of-way, compared to the levels during the quarter being
22 reported;

23 (ii) A summary of the activities in that quarter related to
24 addressing these encampments, including information on arrangements
25 with local governments or other entities related to these activities;

26 (iii) A description of the planned activities in the ensuing
27 quarter to further address the emergency hazards and risks along
28 state highway rights-of-way; and

29 (iv) Recommendations for executive branch or legislative action
30 to achieve the desired outcome of reduced emergency hazards and risks
31 along state highway rights-of-way.

32 (10) (a) (~~(\$2,000,000)~~) \$500,000 of the motor vehicle account—
33 state appropriation is provided solely for the department to contract
34 with the city of Fife to address the risks to safety and public
35 health associated with homeless encampments on department-owned
36 rights-of-way along the SR 167/SR 509 Puget Sound Gateway project
37 corridor in and adjacent to the city limits.

38 (b) The city must coordinate and work with the department and
39 local governments and social service organizations who provide
40 services and direct people to housing alternatives that are not in

1 highway rights-of-way to help prevent future encampments from forming
2 on highway rights-of-way. State funds may be used to reimburse the
3 organizations doing this outreach assistance who transition people
4 into treatment or housing that is not on the rights-of-way or for
5 debris clean up on highway rights-of-way.

6 (c) The department may hire crews specializing in collecting and
7 disposing of garbage, clearing debris or hazardous material, and
8 implementing safety improvements where hazards exist to the traveling
9 public and department employees.

10 (d) Funds may also be used to reimburse local law enforcement
11 costs or the Washington state patrol if they are participating as
12 part of a state or local government agreement to provide enhanced
13 safety related activities along state highway rights-of-way.

14 (e) It is the intent of the legislature that the city and
15 collaborating partners should place particular emphasis on utilizing
16 available funds for addressing large scale and multiple homeless
17 encampments that impact public safety and health. Funding for
18 initiatives associated with such encampments may include targeted
19 assistance to local governments and social service organizations,
20 directing moneys toward not only initial efforts to clear
21 encampments, clean up debris and restore sightlines, but to ongoing
22 work, monitoring, and maintenance of efforts to place individuals in
23 housing, treatment and services, and to better ensure individuals
24 experiencing homelessness receive needed assistance while sites
25 remain safe and secure for the traveling public.

26 (11) \$12,096,000 of the motor vehicle account—state appropriation
27 is provided solely for contingency funding to address emergent issues
28 related to mitigating negative impacts of the high level of staff
29 vacancies. Potential uses of the funding include, but are not limited
30 to, the following: Increased overtime, travel and other related
31 costs; increased contracting to maintain adequate service levels; and
32 unanticipated facility and equipment needs. By January 1, 2023, the
33 department must submit a report to the governor and the
34 transportation committees of the legislature detailing the specific
35 expenditures made from the contingency funding provided in this
36 subsection.

37 (12) ~~((\$5,400,000 of the motor vehicle account state~~
38 ~~appropriation is provided solely for replacement of traffic signs and~~
39 ~~to increase the visibility of road pavement markings. Investments~~
40 ~~must replace traffic signs that do not meet the department's~~

standards or that are faded, lacking in reflectivity, cracked, illegible, or damaged. Investments must also increase the visibility of road pavement markings during periods of low light conditions and during precipitation with pavement marking products that contain all-weather optical reflectivity capability. The request for proposals and subsequent competitive procurement for the signs shall be performed following state specifications and standards.

~~(13))~~ \$17,000 of the motor vehicle account—local appropriation is provided solely to update existing signs along Interstate 5 in the vicinity of Seattle center. The department must install new Seattle center logos with a redesigned logo that recognizes climate pledge arena, but is not responsible for design or fabrication of the logo or new sign.

~~((14))~~ (13) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to install fencing to delineate between the privately leased property owned by the department and the public right-of-way property maintained by the city of Seattle. The parameters of the adjacent properties located under the Interstate 5 corridor, south of milepost 165, are south Jackson street and south King street going north and south, and 8th avenue south and 9th avenue south going west to east in the international district.

~~((15))~~ (14)(a) \$2,500,000 of the motor vehicle account—state appropriation is provided solely for:

(i) Additional resources for operations, maintenance, facility replacements, security, and upgrades to safety rest areas to ensure that safety rest areas owned and operated by the department are open for use except for seasonal closures or cleaning, maintenance, and repair; and

(ii) Reconfiguration of maintenance operations pursuant to chapter 262, Laws of 2022 (safety rest areas).

(b) The department may use the funds for additional labor, services, materials, or equipment needed to allow commercial vehicle parking stalls to remain open when rest areas might otherwise be closed.

(c) It is the intent of the legislature that these funds are additional resources for the department and not meant to supplant underlying resources for the maintenance and operations of safety rest areas.

1 (d) The department must make a report to the transportation
2 committees of the legislature regarding the additional operations and
3 maintenance activities made at safety rest areas to ensure that rest
4 areas stayed open by January 15, 2023. The report must include the
5 status per safety rest area of openings and closures that were
6 impacted by the additional activities; the additional activities,
7 including security efforts, that were performed at the rest areas;
8 and an update on the status and a review of the safety rest area
9 strategic plan.

10 ~~((16))~~ (15)(a) \$50,000 of the motor vehicle account—state
11 appropriation is provided solely for the department to install and
12 inspect monthly human trafficking informational posters in every rest
13 room in every safety rest area owned and operated by the department.

14 (b) In developing the informational posters, the department shall
15 consult with human trafficking victim advocates to determine content.

16 (c) The posters must:

17 (i) Be printed in a variety of languages;

18 (ii) Include contact information for seeking help, which may
19 include toll-free telephone numbers a person may call for assistance,
20 including the number for the national human trafficking resource
21 center and the number for the Washington state office of crime
22 victims advocacy; and

23 (iii) Be made of durable material and permanently affixed.

24 (d) The department shall install the informational posters in
25 every restroom at every safety rest area owned and operated by the
26 department by December 31, 2022.

27 (e) Beginning January 1, 2023, or one month after installation of
28 informational posters, whichever is sooner, the department shall
29 inspect the informational posters as part of its monthly maintenance
30 activities to ensure that the posters are in fair condition and
31 remain legible.

32 (f) The department must make a report to the transportation
33 committees of the legislature regarding the installation of
34 informational posters at safety rest areas by January 15, 2023. The
35 report must include the number of informational posters installed,
36 the location of the poster installations, and the completion date of
37 the poster installations.

38 **Sec. 1013.** 2022 c 186 s 217 (uncodified) is amended to read as
39 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
2 **OPERATING**

3	Motor Vehicle Account—State Appropriation.	((\$73,760,000))
4		<u>\$73,968,000</u>
5	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
6	Motor Vehicle Account—Private/Local Appropriation.	\$295,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation.	\$225,000
9	Tacoma Narrows Toll Bridge Account—State	
10	Appropriation.	\$40,000
11	Alaskan Way Viaduct Replacement Project Account—	
12	State Appropriation.	\$1,112,000
13	Interstate 405 and State Route Number 167 Express	
14	Toll Lanes Account—State Appropriation.	\$20,000
15	Agency Financial Transaction Account—State	
16	Appropriation.	\$100,000
17	TOTAL APPROPRIATION.	((\$77,602,000))
18		<u>\$77,810,000</u>

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

21 (1) \$6,000,000 of the motor vehicle account—state appropriation
22 is provided solely for low-cost enhancements. The department shall
23 give priority to low-cost enhancement projects that improve safety or
24 provide congestion relief. By December 15th of each odd-numbered
25 year, the department shall provide a report to the legislature
26 listing all low-cost enhancement projects completed in the prior
27 fiscal biennium.

28 (2) (a) During the 2021-2023 fiscal biennium, the department shall
29 continue a pilot program that expands private transportation
30 providers' access to high occupancy vehicle lanes. Under the pilot
31 program, when the department reserves a portion of a highway based on
32 the number of passengers in a vehicle, the following vehicles must be
33 authorized to use the reserved portion of the highway if the vehicle
34 has the capacity to carry eight or more passengers, regardless of the
35 number of passengers in the vehicle: (i) Auto transportation company
36 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
37 carrier vehicles regulated under chapter 81.70 RCW, except marked or
38 unmarked stretch limousines and stretch sport utility vehicles as
39 defined under department of licensing rules; (iii) private nonprofit

1 transportation provider vehicles regulated under chapter 81.66 RCW;
2 and (iv) private employer transportation service vehicles. For
3 purposes of this subsection, "private employer transportation
4 service" means regularly scheduled, fixed-route transportation
5 service that is offered by an employer for the benefit of its
6 employees. Nothing in this subsection is intended to authorize the
7 conversion of public infrastructure to private, for-profit purposes
8 or to otherwise create an entitlement or other claim by private users
9 to public infrastructure.

10 (b) The department shall expand the high occupancy vehicle lane
11 access pilot program to vehicles that deliver or collect blood,
12 tissue, or blood components for a blood-collecting or distributing
13 establishment regulated under chapter 70.335 RCW. Under the pilot
14 program, when the department reserves a portion of a highway based on
15 the number of passengers in a vehicle, blood-collecting or
16 distributing establishment vehicles that are clearly and identifiably
17 marked as such on all sides of the vehicle are considered emergency
18 vehicles and must be authorized to use the reserved portion of the
19 highway.

20 (c) The department shall expand the high occupancy vehicle lane
21 access pilot program to organ transport vehicles transporting a time
22 urgent organ for an organ procurement organization as defined in RCW
23 68.64.010. Under the pilot program, when the department reserves a
24 portion of a highway based on the number of passengers in a vehicle,
25 organ transport vehicles that are clearly and identifiably marked as
26 such on all sides of the vehicle are considered emergency vehicles
27 and must be authorized to use the reserved portion of the highway.

28 (d) The department shall expand the high occupancy vehicle lane
29 access pilot program to private, for hire vehicles regulated under
30 chapter 81.72 RCW that have been specially manufactured, designed, or
31 modified for the transportation of a person who has a mobility
32 disability and uses a wheelchair or other assistive device. Under the
33 pilot program, when the department reserves a portion of a highway
34 based on the number of passengers in a vehicle, wheelchair-accessible
35 taxicabs that are clearly and identifiably marked as such on all
36 sides of the vehicle are considered public transportation vehicles
37 and must be authorized to use the reserved portion of the highway.

38 (e) The department shall expand the high occupancy vehicle lane
39 access pilot program to for hire nonemergency medical transportation
40 vehicles, when in use for medical purposes, as described in section

1 208, chapter 333, Laws of 2021. Under the pilot program, when the
2 department reserves a portion of a highway based on the number of
3 passengers in a vehicle, nonemergency medical transportation vehicles
4 that meet the requirements identified in section 208, chapter 333,
5 Laws of 2021 must be authorized to use the reserved portion of the
6 highway.

7 (f) Nothing in this subsection (2) is intended to exempt these
8 vehicles from paying tolls when they do not meet the occupancy
9 requirements established by the department for express toll lanes.

10 (3) \$2,574,000 of the motor vehicle account—state appropriation
11 is provided solely for contingency funding to address emergent issues
12 related to mitigating negative impacts of the high level of staff
13 vacancies. Potential uses of the funding include, but are not limited
14 to, the following: Increased overtime, travel, and other related
15 costs; increased contracting to maintain adequate service levels; and
16 unanticipated facility and equipment needs. By January 1, 2023, the
17 department must submit a report to the governor and the
18 transportation committees of the legislature detailing the specific
19 expenditures made from the contingency funding provided in this
20 subsection.

21 (4) The appropriations in this section assume implementation of
22 additional cost recovery mechanisms to recoup at least \$100,000 in
23 credit card and other financial transaction costs related to the
24 collection of fees imposed under RCW 46.44.0941 for driver and
25 vehicle fee transactions beginning January 1, 2023. The department
26 may recover transaction fees incurred through credit card
27 transactions. At the direction of the office of financial management,
28 the department shall develop a method of tracking the additional
29 amount of credit card and other financial cost-recovery revenues. In
30 consultation with the office of financial management, the department
31 shall notify the office of the state treasurer of these amounts and
32 the state treasurer must deposit these revenues in the agency
33 financial transaction account created in RCW 46.01.385 on a quarterly
34 basis. The department shall also submit, as part of its 2023-2025
35 budget submittal, an overview of the credit card cost recovery
36 approach, including fee rates and the amount of revenue expected to
37 be generated in the 2021-2023 and 2023-2025 biennia.

38 (5) The department shall promote safety messages encouraging
39 drivers to slow down and move over and pay attention when emergency
40 lights are flashing on the side of the road and other suitable safety

1 messages on electronic message boards the department operates across
2 the state. The messages must be promoted multiple times each month
3 through June 30, 2023. The department may coordinate such messaging
4 with any statewide public awareness campaigns being developed by the
5 department of licensing or the Washington state traffic safety
6 commission or both.

7 **Sec. 1014.** 2022 c 186 s 218 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
10 **SUPPORT—PROGRAM S**

11	Motor Vehicle Account—State Appropriation.	((\$37,365,000))
12		<u>\$37,371,000</u>
13	Motor Vehicle Account—Federal Appropriation.	\$780,000
14	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
15	Puget Sound Ferry Operations Account—State	
16	Appropriation.	\$266,000
17	Multimodal Transportation Account—State	
18	Appropriation.	\$5,129,000
19	State Route Number 520 Corridor Account—State	
20	Appropriation.	\$186,000
21	Tacoma Narrows Toll Bridge Account—State	
22	Appropriation.	\$150,000
23	Alaskan Way Viaduct Replacement Project Account—	
24	State Appropriation.	\$121,000
25	Interstate 405 and State Route Number 167 Express	
26	Toll Lanes Account—State Appropriation.	\$77,000
27	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$2,000,000</u>
28	TOTAL APPROPRIATION.	((\$44,574,000))
29		<u>\$46,580,000</u>

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

32 (1) \$4,000,000 of the multimodal transportation account—state
33 appropriation is provided solely for efforts to increase diversity in
34 the transportation construction workforce through: (a) The
35 preapprenticeship support services (PASS) program, which aims to
36 increase diversity in the highway construction workforce and prepare
37 individuals interested in entering the highway construction
38 workforce. In addition to the services allowed by RCW 47.01.435, the

1 PASS program may provide housing assistance for youth aging out of
2 the foster care and juvenile rehabilitation systems in order to
3 support the participation of these youth in a transportation-related
4 preapprenticeship program; (b) assisting minority and women-owned
5 businesses to perform work in the highway construction industry. This
6 assistance shall include technical assistance, business training,
7 counseling, guidance, prime to subcontractor relationship building,
8 and a capacity building mentorship program. At a minimum, \$1,000,000
9 of the total appropriation in this subsection shall be directed
10 toward the efforts outlined in (b) of this subsection. The
11 provider(s) chosen to complete the work in this subsection shall be
12 selected through a competitive bidding process. The program shall be
13 administered by the Washington state department of transportation's
14 office of equal opportunity.

15 (2) \$1,446,000 of the motor vehicle account—state appropriation
16 is provided solely for contingency funding to address emergent issues
17 related to mitigating negative impacts of the high level of staff
18 vacancies. Potential uses of the funding include, but are not limited
19 to, the following: Increased overtime, travel, and other related
20 costs; increased contracting to maintain adequate service levels; and
21 unanticipated facility and equipment needs. By January 1, 2023, the
22 department must submit a report to the governor and the
23 transportation committees of the legislature detailing the specific
24 expenditures made from the contingency funding provided in this
25 subsection.

26 (3) \$774,000 of the motor vehicle account—state appropriation and
27 \$266,000 of the Puget Sound ferry operations account—state
28 appropriation are provided solely for the department to hire a
29 workforce development consultant to develop, track, and monitor the
30 progress of community workforce agreements, and to hire staff to
31 assist with the development and implementation of internal diversity,
32 equity, and inclusion efforts and serve as subject matter experts on
33 federal and state civil rights provisions. The department shall
34 engage with relevant stakeholders, and provide a progress report on
35 the implementation of efforts under this subsection to the
36 transportation committees of the legislature and the governor by
37 December 1, 2022.

38 (4) For Washington state department of transportation small works
39 roster projects under RCW 39.04.155, the department may only allow

1 firms certified as small business enterprises, under 49 C.F.R. 26.39,
2 to bid on the contract, unless the department determines there would
3 be insufficient bidders for a particular project. The department
4 shall report on the effectiveness of this policy to the
5 transportation committees of the legislature by January 31, 2023.

6 (5) \$2,000,000 of the move ahead WA flexible account—state
7 appropriation is provided solely for efforts to increase diversity in
8 the transportation construction and maritime workforce. Of this
9 amount:

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

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

30 **Sec. 1015.** 2022 c 186 s 219 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
33 **AND RESEARCH—PROGRAM T**

34 Motor Vehicle Account—State Appropriation.	((\$26,483,000))
35	<u>\$26,502,000</u>
36 Motor Vehicle Account—Federal Appropriation.	\$34,865,000
37 Motor Vehicle Account—Private/Local Appropriation.	\$400,000
38 Multimodal Transportation Account—State	

1	Appropriation.	((\$1,902,000))
2		<u>\$1,322,000</u>
3	Multimodal Transportation Account—Federal	
4	Appropriation.	\$2,809,000
5	Multimodal Transportation Account—Private/Local	
6	Appropriation.	\$100,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation.	\$451,000
9	Interstate 405 and State Route Number 167 Express	
10	Toll Lanes Account—State Appropriation.	\$2,879,000
11	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,500,000</u>
12	<u>Move Ahead WA Flexible Account—Federal Appropriation.</u>	<u>\$1,000,000</u>
13	TOTAL APPROPRIATION.	((\$69,889,000))
14		<u>\$71,828,000</u>

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

17 (1) \$4,080,000 of the motor vehicle account—federal appropriation
18 is provided solely for the Forward Drive road usage charge research
19 project overseen by the transportation commission using a portion of
20 the amount of the federal grant award. The purpose of the Forward
21 Drive road usage charge research project is to advance research in
22 key policy areas related to road usage charge including assessing
23 impacts of future mobility shifts on road usage charge revenues,
24 conducting an equity analysis, updating and assessing emerging
25 mileage reporting methods, determining opportunities to reduce cost
26 of collection, conducting small-scale pilot tests, and identifying a
27 long-term, detailed phase-in plan.

28 (2) \$2,879,000 of the Interstate 405 and state route number 167
29 express toll lanes account—state appropriation is provided solely for
30 completion of updating the state route number 167 master plan.

31 (3) \$500,000 of the multimodal transportation account—state
32 appropriation is provided solely for the department to partner with
33 the department of commerce in developing vehicle miles traveled
34 targets for the counties in Washington state with (a) a population
35 density of at least 100 people per square mile and a population of at
36 least 200,000; or (b) a population density of at least 75 people per
37 square mile and an annual growth rate of at least 1.75 percent as
38 determined by the office of financial management. Given land use
39 patterns are key factors in travel demand and should be taken into

1 consideration when developing the targets, the department and the
2 department of commerce shall partner with local jurisdictions,
3 regional transportation planning organizations and other stakeholders
4 to inventory existing laws and rules that promote transportation and
5 land use, identify gaps and make recommendations for changes in laws,
6 rules and agency guidance, and establish a framework for considering
7 underserved and rural communities in the evaluation. The department
8 and the department of commerce shall provide an initial technical
9 report by December 31, 2021, an interim report by June 22, 2022, and
10 a final report to the governor and appropriate committees of the
11 legislature by June 30, 2023, that includes a process for
12 establishing vehicle miles traveled reduction targets, a recommended
13 suite of options for local jurisdictions to achieve the targets, and
14 funding requirements for state and local jurisdictions.

15 (4) \$451,000 of the state route number 520 corridor account—state
16 appropriation is provided solely for the department to contract with
17 the University of Washington department of mechanical engineering, to
18 study measures to reduce noise impacts from the state route number
19 520 bridge expansion joints. The field testing shall be scheduled
20 during existing construction, maintenance, or other scheduled
21 closures to minimize impacts. The testing must also ensure safety of
22 the traveling public. The study shall examine testing methodologies
23 and project timelines and costs. A draft report must be submitted to
24 the transportation committees of the legislature and the governor by
25 March 1, 2022. A final report must be submitted to the transportation
26 committees of the legislature and the governor by December 31, 2022.

27 (5) \$5,900,000 of the motor vehicle account—federal appropriation
28 and \$400,000 of the motor vehicle account—private/local appropriation
29 are provided solely for delivery of the department's state planning
30 and research work program and pooled fund research projects.

31 (6) \$800,000 of the motor vehicle account—state appropriation is
32 provided solely for WSDOT to do a corridor study of SR 302 (Victor
33 Area) to recommend safety and infrastructure improvements to address
34 current damage and prevent future roadway collapse and landslides
35 that have caused road closures.

36 (7) \$1,000,000 of the motor vehicle account—state appropriation
37 is provided solely for a study on the need for additional
38 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
39 South Pierce County.

1 (8) \$1,654,000 of the motor vehicle account—state appropriation
2 and \$108,000 of the multimodal transportation account—state
3 appropriation are provided solely for contingency funding to address
4 emergent issues related to mitigating negative impacts of the high
5 level of staff vacancies. Potential uses of the funding include, but
6 are not limited to, the following: Increased overtime, travel, and
7 other related costs; increased contracting to maintain adequate
8 service levels; and unanticipated facility and equipment needs. By
9 January 1, 2023, the department must submit a report to the governor
10 and the transportation committees of the legislature detailing the
11 specific expenditures made from the contingency funding provided in
12 this subsection.

13 (9) \$450,000 of the motor vehicle account—state appropriation is
14 provided solely for the department to complete a performance-based
15 project evaluation model based on the initial work done for section
16 218(7), chapter 219, Laws of 2020, in a way that operationalizes the
17 six transportation policy goals in RCW 47.04.280. This work should
18 first include clarification of the transportation policy goals
19 through development of objectives and criteria that reflect system
20 priorities based on outcomes of community engagement. After a
21 framework is established by which goals can be more directly related
22 to outcomes, the project evaluation model should leverage the
23 department's existing experts and best practices used for
24 prioritizing programmatic funds to develop procedures by which
25 evaluators could consistently score and rank all types of projects.
26 The department must issue a report by June 30, 2023, summarizing the
27 new project evaluation model, and provide recommendations for how
28 this process could be implemented in coordination with the
29 legislative work cycle.

30 (10) (a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation
31 account—state appropriation is provided solely for Thurston regional
32 planning council (TRPC) to conduct a study examining options for
33 multimodal high capacity transportation (HCT) to serve travelers on
34 the I-5 corridor between central Thurston county (Olympia area) and
35 Pierce county.

36 (b) The study will include an assessment of travelsheds and
37 ridership potential and identify and provide an evaluation of options
38 to enhance connectivity and accessibility for the greater south Puget
39 Sound region with an emphasis on linking to planned or existing

1 commuter or regional light rail. The study must account for previous
2 and ongoing efforts by transit agencies and the department. The study
3 will emphasize collaboration with a diverse community of interests,
4 including but not limited to transit, business, public agencies,
5 tribes, and providers and users of transportation who because of age,
6 income, or ability may face barriers and challenges. TRPC will
7 provide to the transportation committees of the legislature a study
8 outline and recommendations of deliverables by December 1, 2022.

9 (11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation
10 account—state appropriation is provided solely for the city of
11 Seattle's office of planning and community development to support an
12 equitable development initiative to reconnect the South Park
13 neighborhood, currently divided by State Route 99.

14 (a) The support work must include:

15 (i) A public engagement and visioning process led by a
16 neighborhood-based, community organization; and

17 (ii) A feasibility study of decommissioning SR 99 in the South
18 Park neighborhood to include, but not be limited to, traffic studies,
19 environmental impact analysis, and development of alternatives,
20 including the transfer of the land to a neighborhood-led community
21 land trust.

22 (b) The support work must be conducted in coordination and
23 partnership with neighborhood residents, neighborhood industrial and
24 commercial representatives, the state department of transportation,
25 and other entities and neighborhoods potentially impacted by changes
26 to the operation of SR 99.

27 (c) The city must provide a report on the plan that includes
28 recommendations to the Seattle city council, state department of
29 transportation, and the transportation committees of the legislature
30 by January 1, 2025.

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

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

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

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

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

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

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

36 **Sec. 1016.** 2022 c 186 s 220 (uncodified) is amended to read as
37 follows:

38 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
39 **PROGRAM U**

1	Aeronautics Account—State Appropriation.	\$1,000
2	Transportation Partnership Account—State	
3	Appropriation.	\$25,000
4	Motor Vehicle Account—State Appropriation.	\$101,849,000
5	Puget Sound Ferry Operations Account—State	
6	Appropriation.	\$244,000
7	State Route Number 520 Corridor Account—State	
8	Appropriation.	\$26,000
9	Connecting Washington Account—State Appropriation.	\$203,000
10	Multimodal Transportation Account—State	
11	Appropriation.	\$4,968,000
12	Tacoma Narrows Toll Bridge Account—State	
13	Appropriation.	\$19,000
14	Alaskan Way Viaduct Replacement Project Account—	
15	State Appropriation.	\$14,000
16	Interstate 405 and State Route Number 167 Express	
17	Toll Lanes Account—State Appropriation.	\$15,000
18	<u>Move Ahead WA Flexible Account—State Appropriation</u>	<u>\$2,000,000</u>
19	TOTAL APPROPRIATION.	((\$107,364,000))
20		<u>\$109,364,000</u>

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

23 (1) Consistent with existing protocol and practices, for any
24 negotiated settlement of a claim against the state for the department
25 that exceeds five million dollars, the department, in conjunction
26 with the attorney general and the department of enterprise services,
27 shall notify the director of the office of financial management and
28 the transportation committees of the legislature.

29 (2) Beginning October 1, 2021, and semiannually thereafter, the
30 department, in conjunction with the attorney general and the
31 department of enterprise services, shall provide a report with
32 judgments and settlements dealing with the Washington state ferry
33 system to the director of the office of financial management and the
34 transportation committees of the legislature. The report must include
35 information on: (a) The number of claims and settlements by type; (b)
36 the average claim and settlement by type; (c) defense costs
37 associated with those claims and settlements; and (d) information on
38 the impacts of moving legal costs associated with the Washington
39 state ferry system into the statewide self-insurance pool.

(3) Beginning October 1, 2021, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

(5) \$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.

Sec. 1017. 2022 c 186 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V	
State Vehicle Parking Account—State Appropriation.	\$784,000
Regional Mobility Grant Program Account—State Appropriation.	((\$115,488,000))
	<u>\$79,866,000</u>
Rural Mobility Grant Program Account—State Appropriation.	((\$33,283,000))
	<u>\$32,732,000</u>
Multimodal Transportation Account—State Appropriation.	((\$134,754,000))
	<u>\$123,533,000</u>
Multimodal Transportation Account—Federal Appropriation.	\$3,574,000
Multimodal Transportation Account— <u>Private/Local</u> Appropriation.	\$100,000
<u>Climate Transit Programs Account—State Appropriation. . .</u>	<u>\$53,436,000</u>
TOTAL APPROPRIATION.	((\$287,983,000))

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

(1) \$67,821,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$15,568,000 of the multimodal transportation 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. Fuel type may not be a factor in the grant selection process.

(b) \$52,253,000 of the multimodal transportation 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 thirty percent of these distributions. Fuel type may not be a factor in the grant selection process.

(2) \$33,283,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant

1 program, and supplanting of transit funds currently funding vanpools
2 is not allowed. The department shall encourage grant applicants and
3 recipients to leverage funds other than state funds. Fuel type may
4 not be a factor in the grant selection process.

5 (4) \$37,809,000 of the regional mobility grant program account—
6 state appropriation is reappropriated and provided solely for the
7 regional mobility grant projects identified in LEAP Transportation
8 Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9,
9 ~~2022~~)) 26, 2023, Program - Public Transportation Program (V).

10 (5) (a) \$77,679,000 of the regional mobility grant program account
11 —state appropriation is provided solely for the regional mobility
12 grant projects identified in LEAP Transportation Document ((2022-2))
13 2023-2 ALL PROJECTS as developed March ((9,~~2022~~)) 26, 2023, Program
14 - Public Transportation Program (V). The department shall review all
15 projects receiving grant awards under this program at least
16 semiannually to determine whether the projects are making
17 satisfactory progress. Any project that has been awarded funds, but
18 does not report activity on the project within one year of the grant
19 award, must be reviewed by the department to determine whether the
20 grant should be terminated. The department shall promptly close out
21 grants when projects have been completed, and any remaining funds
22 must be used only to fund projects identified in the LEAP
23 transportation document referenced in this subsection. The department
24 shall provide annual status reports on December 15, 2021, and
25 December 15, 2022, to the office of financial management and the
26 transportation committees of the legislature regarding the projects
27 receiving the grants. It is the intent of the legislature to
28 appropriate funds through the regional mobility grant program only
29 for projects that will be completed on schedule. A grantee may not
30 receive more than twenty-five percent of the amount appropriated in
31 this subsection. Additionally, when allocating funding for the
32 2023-2025 biennium, no more than thirty percent of the total grant
33 program may directly benefit or support one grantee unless all other
34 funding is awarded. The department shall not approve any increases or
35 changes to the scope of a project for the purpose of a grantee
36 expending remaining funds on an awarded grant. Fuel type may not be a
37 factor in the grant selection process.

38 (b) In order to be eligible to receive a grant under (a) of this
39 subsection during the 2021-2023 fiscal biennium, a transit agency
40 must establish a process for private transportation providers to

1 apply for the use of park and ride facilities. For purposes of this
2 subsection, (i) "private transportation provider" means: An auto
3 transportation company regulated under chapter 81.68 RCW; a passenger
4 charter carrier regulated under chapter 81.70 RCW, except marked or
5 unmarked stretch limousines and stretch sport utility vehicles as
6 defined under department of licensing rules; a private nonprofit
7 transportation provider regulated under chapter 81.66 RCW; or a
8 private employer transportation service provider; and (ii) "private
9 employer transportation service" means regularly scheduled, fixed-
10 route transportation service that is offered by an employer for the
11 benefit of its employees.

12 (6) Funds provided for the commute trip reduction (CTR) program
13 may also be used for the growth and transportation efficiency center
14 program.

15 (7) \$6,500,000 of the multimodal transportation account—state
16 appropriation and \$784,000 of the state vehicle parking account—state
17 appropriation are provided solely for CTR grants and activities. Fuel
18 type may not be a factor in the grant selection process. Of this
19 amount:

20 (a) \$30,000 of the state vehicle parking account—state
21 appropriation is provided solely for the STAR pass program for state
22 employees residing in Mason and Grays Harbor Counties. Use of the
23 pass is for public transportation between Mason County and Thurston
24 County, and Grays Harbor and Thurston County. The pass may also be
25 used within Grays Harbor County. The STAR pass commute trip reduction
26 program is open to any state employee who expresses intent to commute
27 to his or her assigned state worksite using a public transit system
28 currently participating in the STAR pass program.

29 (b) \$800,000 of the multimodal transportation account—state
30 appropriation is provided solely for continuation of the first mile/
31 last mile connections grant program. Eligible grant recipients
32 include cities, businesses, nonprofits, and transportation network
33 companies with first mile/last mile solution proposals. Transit
34 agencies are not eligible. The commute trip reduction board shall
35 develop grant parameters, evaluation criteria, and evaluate grant
36 proposals. The commute trip reduction board shall provide the
37 transportation committees of the legislature a report on the
38 effectiveness of this grant program and best practices for continuing
39 the program.

1 (8) (a) Except as provided otherwise in this subsection,
2 \$29,030,000 of the multimodal transportation account—state
3 appropriation is provided solely for connecting Washington transit
4 projects identified in LEAP Transportation Document ((2022-2)) 2023-2
5 ALL PROJECTS as developed March ((9, 2022)) 26, 2023. It is the
6 intent of the legislature that entities identified to receive funding
7 in the LEAP document referenced in this subsection receive the
8 amounts specified in the time frame specified in that LEAP document.
9 If an entity has already completed a project in the LEAP document
10 referenced in this subsection before the time frame identified, the
11 entity may substitute another transit project or projects that cost a
12 similar or lesser amount.

13 (b) Within the amount provided in this subsection, \$900,000 of
14 the multimodal transportation account—state appropriation is provided
15 solely to complete work on Martin Luther King Way, Rainier Ave
16 improvements (G2000040).

17 (9) The department shall not require more than a ten percent
18 match from nonprofit transportation providers for state grants.

19 (10) \$23,349,000 of the multimodal transportation account—state
20 appropriation is provided solely for the green transportation capital
21 grant program established in chapter 287, Laws of 2019 (advancing
22 green transportation adoption).

23 (11) \$555,000 of the multimodal transportation account—state
24 appropriation is provided solely for an interagency transfer to the
25 Washington State University extension energy program to establish and
26 administer a technical assistance and education program for public
27 agencies on the use of alternative fuel vehicles. The Washington
28 State University extension energy program shall prepare a report
29 regarding the utilization of the program and provide this report to
30 the transportation committees of the legislature by November 15,
31 2021.

32 (12) The department must provide telework assistance to employers
33 as part of its CTR activities. The objectives of telework assistance
34 include improving transportation system performance, supporting
35 economic vitality, and increasing equity and access to opportunity.

36 (13) \$150,000 of the multimodal transportation account—state
37 appropriation is provided solely for Intercity Transit for the Dash
38 shuttle program.

1 (14) (a) \$500,000 of the multimodal transportation account—state
2 appropriation is provided solely for King county metro to develop a
3 pilot program to place teams including human services personnel along
4 routes that are enduring significant public safety issues and various
5 disruptive behavior in south King county. The team would be available
6 to deescalate disruptions, provide immediate access to transit
7 resources, and refer customers to community resources to break cycles
8 of inappropriate behavior. The teams must be individuals trained in
9 deescalation and outreach. The function and duties should be
10 cocreated with community stakeholders.

11 (b) King county metro must provide a report to the transportation
12 committees of the legislature by June 30, 2023, regarding the
13 effectiveness of the program, any suggestions for improving its
14 efficacy, and any modifications that might be necessary for other
15 transit providers to institute similar programs.

16 (c) If King county metro does not provide at least \$500,000 to
17 develop the pilot program funded by this subsection, the amount
18 provided in this subsection lapses.

19 (15) (a) \$250,000 of the multimodal transportation account—state
20 appropriation is provided solely for the department, in consultation
21 with the joint transportation committee, to conduct a study of
22 statewide transit service benchmarks. Elements of the study include:

23 (i) Development of definitions of frequent fixed route transit
24 and accessible frequent fixed route transit; and

25 (ii) Identification of, to the extent possible using existing
26 data, current gaps in frequent fixed route transit and accessible
27 walking routes to frequent fixed route transit stops.

28 (b) An initial report is due by December 15, 2022, that proposes
29 a definition of frequent transit and documents how many people in
30 Washington live within one half mile walk of frequent transit. A
31 final report is due by June 30, 2023, that identifies gaps in
32 accessible frequent transit, analyzed for disparities in race, age,
33 and disability, and develops funding scenarios to address the
34 identified gaps.

35 (16) Within existing resources, the department shall prepare a
36 report regarding the funding, implementation, and operation of the
37 grant management system or systems utilized by the public
38 transportation division. In preparing this report, the department
39 must survey and report on all grant recipients experience with the
40 operation of this system or systems. The department shall provide

1 this report to the transportation committees of the legislature by
2 November 15, 2022.

3 (17) \$14,120,000 of the climate transit programs account—state
4 appropriation is provided solely for newly selected special needs
5 grants. Of this amount:

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

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

24 (18) \$33,606,000 of the climate transit programs account—state
25 appropriation is provided solely for transit support grants. To be
26 eligible for transit support grant distribution, transit agencies
27 must submit documentation of fare-free policy for 18 years and under
28 by October 1, 2022, to be eligible for the 2023-2025 biennium.
29 Transit agencies that submit fare policy documentation following the
30 October 1, 2022, deadline shall become eligible for the next biennial
31 distribution.

32 (19) \$4,710,000 of the climate transit programs account—state
33 appropriation is provided solely for newly selected green
34 transportation grants.

35 (20) \$1,000,000 of the climate transit programs account—state
36 appropriation is provided solely for newly selected transit
37 coordination grants. The department shall give priority to grant
38 proposals that promote the formation of joint partnerships between
39 transit agencies or merge service delivery across entities.

1 (21) It is the intent of the legislature that \$520,000 will be
2 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the
3 2023-2025 fiscal biennium.

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

10 **Sec. 1018.** 2022 c 186 s 222 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

13 Multimodal Transportation Account—State

14 Appropriation. \$9,000

15 Puget Sound Ferry Operations Account—State

16 Appropriation. ((~~\$430,388,000~~))

17 \$444,549,000

18 Puget Sound Ferry Operations Account—Federal

19 Appropriation. ((~~\$156,789,000~~))

20 \$155,934,000

21 Puget Sound Ferry Operations Account—Private/Local

22 Appropriation. \$121,000

23 TOTAL APPROPRIATION. ((~~\$587,298,000~~))

24 \$600,613,000

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

27 (1) The office of financial management budget instructions
28 require agencies to recast enacted budgets into activities. The
29 Washington state ferries shall include a greater level of detail in
30 its 2021-2023 supplemental and 2023-2025 omnibus transportation
31 appropriations act requests, as determined jointly by the office of
32 financial management, the Washington state ferries, and the
33 transportation committees of the legislature. This level of detail
34 must include the administrative functions in the operating as well as
35 capital programs. The data in the tables in the report must be
36 supplied in a digital file format.

37 (2) For the 2021-2023 fiscal biennium, the department may enter
38 into a distributor controlled fuel hedging program and other methods

1 of hedging approved by the fuel hedging committee, which must include
2 a representative of the department of enterprise services.

3 (3) \$32,905,000 of the Puget Sound ferry operations account—
4 federal appropriation and (~~(\$53,794,000)~~) \$64,998,000 of the Puget
5 Sound ferry operations account—state appropriation are provided
6 (~~solely~~) for auto ferry vessel operating fuel in the 2021-2023
7 fiscal biennium, which reflect cost savings from a reduced biodiesel
8 fuel requirement and, therefore, is contingent upon the enactment of
9 section 703 of this act. The amount provided in this subsection
10 represents the fuel budget for the purposes of calculating any ferry
11 fare fuel surcharge. The department shall review future use of
12 alternative fuels and dual fuel configurations, including hydrogen.

13 (4) (~~(\$500,000)~~) \$750,000 of the Puget Sound ferry operations
14 account—state appropriation is provided solely for operating costs
15 related to moving vessels for emergency capital repairs. Funds may
16 only be spent after approval by the office of financial management.

17 (5) \$2,400,000 of the Puget Sound ferry operations account—state
18 appropriation and \$2,000,000 of the Puget Sound ferry operations
19 account—federal appropriation are provided solely for staffing and
20 overtime expenses incurred by engine and deck crewmembers. The
21 department must provide updated staffing cost estimates for fiscal
22 years 2022 and 2023 with its annual budget submittal and updated
23 estimates by January 1, 2022.

24 (6) \$688,000 of the Puget Sound ferry operations account—state
25 appropriation and \$697,000 of the Puget Sound ferry operations
26 account—federal appropriation are provided solely for new employee
27 training. The department must work to increase its outreach and
28 recruitment of populations underrepresented in maritime careers and
29 continue working to expand apprenticeship and internship programs,
30 with an emphasis on programs that are shown to improve recruitment
31 for positions with the state ferry system.

32 (7) The department must request reimbursement from the federal
33 transit administration for the maximum amount of ferry operating
34 expenses eligible for reimbursement under federal law.

35 (8) \$484,000 of the Puget Sound ferry operations account—federal
36 is provided solely for the department to contract for additional
37 traffic control assistance at the Kingston ferry terminal during peak
38 ferry travel times, with a particular focus on Sundays and holiday
39 weekends. Traffic control methods should include, but not be limited

1 to, holding traffic on the shoulder at Lindvog Road until space opens
2 for cars at the tollbooths and dock, and management of traffic on
3 Highway 104 in order to ensure Kingston residents and business owners
4 have access to businesses, roads, and driveways.

5 (9) \$336,000 of the Puget Sound ferry operations account—state
6 appropriation is provided solely for evacuation slide training.

7 (10) \$336,000 of the Puget Sound ferry operations account—state
8 appropriation is provided solely for fall restraint labor and
9 industries inspections.

10 (11) \$735,000 of the Puget Sound ferry operations account—state
11 appropriation and \$410,000 of the Puget Sound ferry operations
12 account—federal appropriation are provided solely for familiarization
13 for new assignments of engine crew and terminal staff.

14 (12) \$160,000 of the Puget Sound ferry operations account—state
15 appropriation is provided solely for electronic navigation training.

16 (13) (~~(\$250,000)~~) \$75,000 of the Puget Sound ferry operations
17 account—state appropriation is provided solely for Washington State
18 Ferries to conduct a study of passenger demographics. The study must
19 include:

20 (a) Information on age, race, gender, income level of passengers
21 by route in summer and winter seasons;

22 (b) Composition of passengers by travel purpose, such as commute,
23 tourism, or commerce; and

24 (c) Frequency of passenger trips by mode and fare products
25 utilized.

26 The study may be included as part of a larger origin and
27 destination study. The department shall report study results to the
28 transportation committees of the legislature by December 1, 2023.

29 (14)(a) \$8,419,000 of the Puget Sound ferry operations account—
30 federal appropriation is provided solely for Washington state ferries
31 to:

32 (i) Continuously recruit and hire deck, engine, and terminal
33 staff;

34 (ii) Contract with an external recruitment firm to increase
35 recruitment efforts both locally and nationally with an emphasis on
36 attracting maritime workers from communities underrepresented in the
37 ferry system;

38 (iii) Enhance employee retention by standardizing on-call worker
39 schedules;

1 (iv) Increase training and development opportunities for
2 employees; and

3 (v) Make improvements to hiring processes by establishing
4 additional positions to support timely hiring of employees.

5 (b) It is the intent of the legislature to continue funding for
6 the activities outlined in this section as part of the move ahead WA
7 package.

8 (15) \$248,000 of the Puget Sound ferry operations account—federal
9 appropriation is provided solely for labor at the Vashon terminal.

10 (16) \$194,000 of the Puget Sound ferry operations account—federal
11 appropriation is provided solely for operating costs at the Mukilteo
12 terminal.

13 (17) \$294,000 of the Puget Sound ferry operations account—federal
14 appropriation is provided solely for deck and engine internships.

15 (18) By December 1, 2022, the department must report on the
16 status of efforts to increase training and development opportunities
17 for employees. The report must include a description of the new
18 training and career advancement programs for able-bodied sailors,
19 mates, and engineers; the numbers of employees participating in each
20 program; the number of employees completing each program; the number
21 of open positions that the program is designed to fill; and the
22 anticipated number of employee promotions as a result of program
23 completion. The department must provide the report to the office of
24 financial management and the transportation committees of the
25 legislature.

26 (19) For the Mukilteo multimodal terminal, the department must
27 submit a report showing for a 12-month period, on a monthly basis,
28 how much electricity is generated by solar power generated on-site,
29 electricity usage, and actual electricity cost savings. The report is
30 due to the transportation committees of the legislature by June 30,
31 2023.

32 (20) \$93,000 of the Puget Sound ferry operations account—state
33 appropriation is provided (~~solely~~) for Washington state ferries to
34 partner with local community colleges and universities to secure
35 housing for workforce training sessions and to pay in advance for the
36 costs of transportation worker identification credentials for
37 incoming ferry system employees and trainees.

38 (21) (a) (~~(\$300,000)~~) \$150,000 of the Puget Sound ferry operations
39 account—state appropriation is provided solely for the department, in

1 consultation with the joint transportation committee, to oversee a
2 consultant study to identify and recommend cost-effective strategies
3 to maximize walk-on passenger ridership of the Anacortes - San Juan
4 ferry routes. The study must also identify available public funding
5 sources to support these strategies. Reducing the need for passengers
6 to bring their cars on the ferries will increase the capacity of each
7 ferry run to transport more people.

8 (b) The evaluated options may include, but not be limited to:

9 (i) Increased public funding or other support for transit or
10 shuttle service between ferry landings on Orcas, Lopez, San Juan, and
11 Anacortes and nearby major town centers or connecting transit hubs;

12 (ii) Options to increase availability of taxi and rideshare
13 services at each of the landings;

14 (iii) Short-term electric vehicle rentals at ferry landings,
15 including electric bicycles and scooters;

16 (iv) Public funding or other support to increase the available
17 locations for additional parking and reduce the cost for short-term
18 parking near each landing;

19 (v) Marketing of the availability of options through the
20 Washington state ferries reservation system website, on ferries and
21 at ferry landings and ticketing facilities.

22 (c) Outreach for the study, including on the feasibility and
23 effectiveness of each strategy evaluated, must include outreach to
24 representatives of:

25 (i) Washington state ferries;

26 (ii) San Juan county council;

27 (iii) Anacortes and San Juan Islands ferry advisory committee
28 members;

29 (iv) San Juan economic development council;

30 (v) City of Anacortes;

31 (vi) City of Friday Harbor;

32 (vii) Skagit transit;

33 (viii) Skagit RTPD;

34 (ix) Eastsound;

35 (x) Lopez Village;

36 (xi) Transit dependent populations; and

37 (xii) Others as deemed appropriate by the committee.

38 (d) A report with recommendations on the most feasible and cost-
39 effective strategies to maximize walk-on passenger ridership of the

1 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to
2 the transportation committees of the legislature by January 6, 2023.

3 (22) (a) During negotiations of the 2023-2025 collective
4 bargaining agreements, the department must conduct a review and
5 analysis of the collective bargaining agreements governing state
6 ferry employees, to identify provisions that create barriers for, or
7 contribute to creating a disparate impact on, newly hired ferry
8 employees, including those who are women, people of color, veterans,
9 and other employees belonging to communities that have historically
10 been underrepresented in the workforce. The review and analysis must
11 include, but not be limited to, provisions regarding seniority, work
12 assignments, and work shifts. The review and analysis must also
13 include consultation with the governor's office of labor relations,
14 the governor's office of equity, and the attorney general's office.

15 (b) For future negotiations or modifications of the collective
16 bargaining agreements, it is the intent of the legislature that the
17 collective bargaining representatives for the state and ferry
18 employee organizations may consider the findings of the review and
19 analysis required in (a) of this subsection and negotiate in a manner
20 to remove identified barriers and address identified impacts so as
21 not to perpetuate negative impacts.

22 (23) To the extent that an activity funded by federal funds in
23 this section is not eligible for federal reimbursement, the
24 department may transfer expenditure authority between state and
25 federal appropriations provided in this section.

26 (24) \$1,700,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for the able-bodied sailor to mate
28 program.

29 (25) \$551,000 of the Puget Sound ferry operations account—state
30 appropriation is provided solely for auto ferry vessel operating fuel
31 in addition to the amounts provided in subsection (3) of this
32 section.

33 **Sec. 1019.** 2022 c 186 s 223 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**
36 Multimodal Transportation Account—State
37 Appropriation. ((\$68,430,000))
38 \$66,681,000

1	Multimodal Transportation Account—Private/Local	
2	Appropriation.	\$46,000
3	Multimodal Transportation Account—Federal	
4	Appropriation.	\$500,000
5	TOTAL APPROPRIATION.	(\$68,976,000)
6		<u>\$67,227,000</u>

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

9 (1) The department is directed to continue to pursue efforts to
10 reduce costs, increase ridership, and review Amtrak Cascades fares
11 and fare schedules. Within thirty days of each annual cost/revenue
12 reconciliation under the Amtrak service contract, the department
13 shall report annual credits to the office of financial management and
14 the legislative transportation committees. Annual credits from Amtrak
15 to the department including, but not limited to, credits due to
16 higher ridership, reduced level of service, and fare or fare schedule
17 adjustments, must be used to offset corresponding amounts of the
18 multimodal transportation account—state appropriation, which must be
19 placed in reserve.

20 (2) Consistent with the ongoing planning and service improvement
21 for the intercity passenger rail program, \$500,000 of the multimodal
22 transportation account—state is provided solely for the Cascades
23 service development plan. This funding is to be used to analyze
24 current and future market conditions and to develop a structured
25 assessment of service options and goals based on anticipated demand
26 and the results of the state and federally required 2019 state rail
27 plan, including identifying implementation alternatives to meet the
28 future service goals for the Amtrak Cascades route. The work must be
29 consistent with federal railroad administration guidance and
30 direction on developing service development plans. It must also
31 leverage the \$500,000 in federal funding appropriated for development
32 of a service development plan and comply with the planning and grant
33 award obligations of the consolidated rail infrastructure and safety
34 improvements (CRISI) program. A status report must be provided to the
35 transportation committees of the legislature by June 30, 2022.

36 (3) ~~(\$4,000,000)~~ \$2,250,000 of the multimodal transportation
37 account—state appropriation is provided solely for the continued
38 coordination, engagement, and planning for a new ultra high-speed
39 ground transportation corridor with participation from Washington,

1 Oregon, and British Columbia. This funding is contingent on
2 meaningful financial contributions for this effort by Oregon or
3 British Columbia. "Ultra high-speed" means a maximum testing speed of
4 at least 250 miles per hour. These efforts are to support and advance
5 activities and must abide by the memorandum of understanding signed
6 by the governors of Washington and Oregon, and the premier of the
7 province of British Columbia in November 2021. The department shall
8 establish a policy committee with participation from Washington,
9 Oregon, and British Columbia, including representation from the two
10 largest caucuses of each chamber of the Washington state legislature,
11 and coordinate the activities of the policy committee to include:

12 (a) Developing an organizational framework that facilitates input
13 in decision-making from all parties;

14 (b) Developing a public engagement approach with a focus on
15 equity, inclusion, and meaningful engagement with communities,
16 businesses, federal, state, provincial, and local governments
17 including indigenous communities;

18 (c) Developing and leading a collaborative approach to prepare
19 and apply for potential future federal, state, and provincial funding
20 opportunities, including development of strategies for incorporating
21 private sector participation and private sector contributions to
22 funding, including through the possible use of public-private
23 partnerships;

24 (d) Beginning work on scenario analysis addressing advanced
25 transportation technologies, land use and growth assumptions, and an
26 agreed to and defined corridor vision statement; and

27 (e) Developing a recommendation on the structure and membership
28 of a formal coordinating entity that will be responsible for
29 advancing the project through the project initiation stage to project
30 development and recommended next steps for establishment of the
31 coordinating entity. Project development processes must include
32 consideration of negative and positive impacts on communities of
33 color, low-income households, indigenous peoples, and other
34 disadvantaged communities.

35 By June 30, 2023, the department shall provide to the governor
36 and the transportation committees of the legislature a report
37 detailing the work conducted by the policy committee and
38 recommendations for establishing a coordinating entity. The report
39 must also include an assessment of current activities and results
40 relating to stakeholder engagement, planning, and any federal funding

1 application. As applicable, the assessment should also be sent to the
2 executive and legislative branches of government in Oregon and
3 appropriate government bodies in the province of British Columbia.

4 (4) The department shall consider applying for federal grant
5 opportunities that support the development of the Amtrak Cascades
6 service. Grant submittals must align with the department's federally
7 required service development plan and state rail plans and
8 partnership agreements with Amtrak as the service provider and BNSF
9 Railway as the host railroad.

10 **Sec. 1020.** 2022 c 186 s 224 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
13 **OPERATING**

14	Motor Vehicle Account—State Appropriation.	((\$12,451,000))
15		<u>\$12,454,000</u>
16	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
17	Multiuse Roadway Safety Account—State Appropriation.	((\$900,000))
18		<u>\$450,000</u>
19	Multimodal Transportation Account—State	
20	Appropriation.	\$250,000
21	TOTAL APPROPRIATION.	((\$16,168,000))
22		<u>\$16,171,000</u>

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

25 (1) The entire multiuse roadway safety account—state
26 appropriation is provided solely for grants under RCW 46.09.540,
27 subject to the following limitations:

28 (a) Twenty-five percent of the amounts provided are reserved for
29 counties that each have a population of fifteen thousand persons or
30 less; and

31 (b) (i) Seventy-five percent of the amounts provided are reserved
32 for counties that each have a population exceeding fifteen thousand
33 persons; and

34 (ii) No county that receives a grant or grants under (a) of this
35 subsection may receive more than sixty thousand dollars in total
36 grants.

37 (2) \$1,023,000 of the motor vehicle account—state appropriation
38 is provided solely for the department, from amounts set aside out of

1 statewide fuel taxes distributed to counties according to RCW
2 46.68.120(3), to contract with the Washington state association of
3 counties to:

4 (a) In coordination with stakeholders, identify county-owned fish
5 passage barriers, and assess which barriers share the same stream
6 system as state-owned fish passage barriers;

7 (b) Streamline and update the county road administration board's
8 data dashboard, county reporting systems, and program management
9 software to provide a more detailed, more transparent, and user-
10 friendly platform for data management, reporting, and research by the
11 public and other interested parties; and

12 (c) Conduct a study of the use of county road right-of-way as a
13 potential source of revenue for county road operating and maintenance
14 needs with recommendations on their feasibility statewide.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 NEW SECTION. **Sec. 1101.** A new section is added to 2022 c 186
3 (uncodified) to read as follows:

4 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

5 Small City Pavement and Sidewalk Account—State

6 Appropriation. \$4,100,000

7 Transportation Improvement Account—State

8 Appropriation. \$171,000,000

9 Complete Streets Grant Program Account—State

10 Appropriation. \$14,670,000

11 Move Ahead WA Account—State Appropriation. \$10,000,000

12 Climate Active Transportation Account—State

13 Appropriation. \$3,000,000

14 TOTAL APPROPRIATION. \$202,770,000

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

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

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

22 **Sec. 1102.** 2022 c 186 s 301 (uncodified) is amended to read as
23 follows:

24 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

25 Freight Mobility Investment Account—State

26 Appropriation. ((\$17,769,000))

27 \$4,331,000

28 Freight Mobility Multimodal Account—State

29 Appropriation. ((\$14,004,000))

30 \$5,296,000

31 TOTAL APPROPRIATION. ((\$31,773,000))

32 \$9,627,000

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

35 (1) Except as otherwise provided in this section, the entire
36 appropriations in this section are provided solely for the projects

1 by amount, as listed in the LEAP Transportation Document ((2022-2))
2 2023-2 ALL PROJECTS as developed March ((9, 2022)) 26, 2023, Freight
3 Mobility Strategic Investment Board (FMSIB).

4 (2) Until directed by the legislature, the board may not initiate
5 a new call for projects.

6 (3) It is the intent of the legislature to continue to make
7 strategic investments in a statewide freight mobility transportation
8 system with the help of the freight mobility strategic investment
9 board, including projects that mitigate the impact of freight
10 movement on local communities. To that end, and in coordination with
11 WSDOT as it updates its federally-compliant freight plan, the board
12 is directed to identify the highest priority freight investments for
13 the state, across freight modes, state and local jurisdictions, and
14 regions of the state. By December 1, 2021, the board must submit a
15 preliminary report providing a status update on the process and
16 methodology for identifying and prioritizing investments. By December
17 1, 2022, the board must submit a prioritized list of freight
18 investments that are geographically balanced across the state and can
19 proceed to construction in a timely manner. The prioritized freight
20 project list for the state portion of national highway freight
21 program funds must first address shortfalls in funding for connecting
22 Washington act projects.

23 (4) (a) For the 2021-2023 project appropriations, unless otherwise
24 provided in this act, the director of the office of financial
25 management may authorize a transfer of appropriation authority
26 between projects managed by the freight mobility strategic investment
27 board in order for the board to manage project spending and support
28 the efficient and timely delivery of all projects in the program. The
29 office of financial management may authorize a transfer of
30 appropriation authority between projects under the following
31 conditions and limitations:

32 (i) Transfers from a project may not be made as a result of the
33 reduction of the scope of a project or be made to support increases
34 in the scope of a project;

35 (ii) Each transfer between projects may only occur if the
36 director of the office of financial management finds that any
37 resulting change will not hinder the completion of the projects on
38 LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as
39 developed March ((9, 2022)) 26, 2023;

1 (iii) Transfers between projects may be made by the board without
2 the formal written approval provided under this subsection (3)(a),
3 provided that the transfer amount does not exceed \$250,000 or 10
4 percent of the total project, whichever is less. These transfers must
5 be reported to the director of the office of financial management and
6 the chairs of the house of representatives and senate transportation
7 committees; and

8 (iv) Except for transfers made under (a)(iii) of this subsection,
9 transfers may only be made in fiscal year 2023.

10 (b) At the time the board submits a request to transfer funds
11 under this section, a copy of the request must be submitted to the
12 chairs and ranking members of the transportation committees of the
13 legislature.

14 (c) Before approval, the office of financial management shall
15 work with legislative staff of the house of representatives and
16 senate transportation committees to review the requested transfers in
17 a timely manner and consider any concerns raised by the chairs and
18 ranking members of the transportation committees.

19 (d) No fewer than 10 days after the receipt of a project transfer
20 request, the director of the office of financial management must
21 provide written notification to the board of any decision regarding
22 project transfers, with copies submitted to the transportation
23 committees of the legislature.

24 **Sec. 1103.** 2022 c 186 s 302 (uncodified) is amended to read as
25 follows:

26 **FOR THE WASHINGTON STATE PATROL**

27 State Patrol Highway Account—State Appropriation. . . (~~(\$4,803,000)~~)
28 \$4,203,000

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

31 (1) \$695,000 of the state patrol highway account—state
32 appropriation is provided solely for roof replacement.

33 (2) (~~(\$3,501,000)~~) \$3,508,000 of the state patrol highway account
34 —state appropriation is provided solely for the following projects:

35 (a) \$250,000 for emergency repairs;

36 (b) \$350,000 for fuel tank decommissioning;

37 (c) (~~(\$750,000)~~) \$250,000 for generator and electrical
38 replacement;

- 1 (d) \$195,000 for the exterior envelope of the Yakima office;
- 2 (e) \$466,000 for equipment shelters;
- 3 (f) (~~(\$650,000)~~) \$550,000 for the weatherization projects;
- 4 (g) \$200,000 for roof replacements reappropriation; and
- 5 (h) \$640,000 for water and fire suppression systems
- 6 reappropriation and \$607,000 for additional water and fire
- 7 suppression systems.

8 (3) The Washington state patrol may transfer funds between
 9 projects specified in this subsection to address cash flow
 10 requirements. If a project specified in this subsection is completed
 11 for less than the amount provided, the remainder may be transferred
 12 to another project specified in this subsection not to exceed the
 13 total appropriation provided in this subsection.

14 **Sec. 1104.** 2022 c 186 s 303 (uncodified) is amended to read as
 15 follows:

16 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

17 Rural Arterial Trust Account—State Appropriation.	((\$55,028,000))
	<u>\$49,028,000</u>
19 Motor Vehicle Account—State Appropriation.	\$1,456,000
20 County Arterial Preservation Account—State	
21 Appropriation.	((\$44,653,000))
	<u>\$45,666,000</u>
23 <u>Move Ahead WA Account—State Appropriation.</u>	<u>\$10,000,000</u>
24 TOTAL APPROPRIATION.	((\$101,137,000))
	<u>\$106,150,000</u>

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

31 **Sec. 1105.** 2022 c 186 s 304 (uncodified) is amended to read as
 32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**

34 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

35 Motor Vehicle Account—State Appropriation.	((\$16,076,000))
	<u>\$15,743,000</u>
37 Connecting Washington Account—State Appropriation.	\$3,667,000

1 TOTAL APPROPRIATION. ((~~\$19,743,000~~))
2 \$19,410,000

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

5 (1) \$3,289,000 of the connecting Washington account—state
6 appropriation is provided solely for a new Olympic region maintenance
7 and administration facility to be located on the department-owned
8 site at the intersection of Marvin Road and 32nd Avenue in Lacey,
9 Washington.

10 (2) (a) \$4,325,000 of the motor vehicle account—state
11 appropriation is provided solely for payments of a financing contract
12 issued pursuant to chapter 39.94 RCW for the department facility
13 located at 15700 Dayton Ave N in Shoreline.

14 (b) Payments from the department of ecology pursuant to the
15 agreement with the department to pay a share of the financing
16 contract in (a) of this subsection must be deposited into the motor
17 vehicle account.

18 **Sec. 1106.** 2022 c 186 s 305 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**
21 Transportation 2003 Account (Nickel Account)—State
22 Appropriation. ((~~\$482,000~~))
23 \$486,000
24 Transportation Partnership Account—State
25 Appropriation. ((~~\$232,566,000~~))
26 \$173,980,000
27 Motor Vehicle Account—State Appropriation. ((~~\$246,948,000~~))
28 \$233,938,000
29 Motor Vehicle Account—Federal Appropriation. ((~~\$251,835,000~~))
30 \$262,303,000
31 Coronavirus State Fiscal Recovery Fund—Federal
32 Appropriation. ((~~\$400,000,000~~))
33 \$100,000,000
34 Motor Vehicle Account—Private/Local Appropriation. ((~~\$56,192,000~~))
35 \$88,263,000
36 Connecting Washington Account—State
37 Appropriation. ((~~\$2,063,783,000~~))
38 \$1,656,457,000

1	Special Category C Account—State Appropriation. . . .	((\$86,198,000))
2		<u>\$63,548,000</u>
3	Multimodal Transportation Account—State	
4	Appropriation.	((\$10,792,000))
5		<u>\$4,779,000</u>
6	Puget Sound Gateway Facility Account—State	
7	Appropriation.	\$8,400,000
8	State Route Number 520 Corridor Account—State	
9	Appropriation.	\$70,886,000
10	Interstate 405 and State Route Number 167 Express	
11	Toll Lanes Account—State Appropriation.	((\$217,282,000))
12		<u>\$34,028,000</u>
13	Move Ahead WA Account—State Appropriation.	((\$10,771,000))
14		<u>\$105,905,000</u>
15	Move Ahead WA Account—Federal Appropriation.	\$7,200,000
16	TOTAL APPROPRIATION.	((\$3,663,335,000))
17		<u>\$2,810,173,000</u>

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

20 (1) Except as provided otherwise in this section, the entire move
21 ahead WA account—state appropriation, the entire connecting
22 Washington account—state appropriation, and the entire transportation
23 partnership account—state appropriation are provided solely for the
24 projects and activities as listed by fund, project, and amount in
25 LEAP Transportation Document ((~~2022-1~~) 2023-1 as developed March
26 ((~~9, 2022~~)) 26, 2023, Program - Highway Improvements Program (I).
27 However, limited transfers of specific line-item project
28 appropriations may occur between projects for those amounts listed
29 subject to the conditions and limitations in section ((~~601, chapter~~
30 ~~333, Laws of 2021~~)) 601 of this act, chapter . . . , Laws of 2023
31 (this act).

32 (2) Except as provided otherwise in this section, the entire
33 motor vehicle account—state appropriation and motor vehicle account—
34 federal appropriation are provided solely for the projects and
35 activities listed in LEAP Transportation Document ((~~2022-2~~) 2023-2
36 ALL PROJECTS as developed March ((~~9, 2022~~)) 26, 2023, Program -
37 Highway Improvements Program (I). Any federal funds gained through
38 efficiencies, adjustments to the federal funds forecast, or the
39 federal funds redistribution process must then be applied to highway

1 and bridge preservation activities or fish passage barrier
2 corrections (OBI4001), as long as the application of the funds is not
3 inconsistent with subsection (~~((26))~~) (24) of this section.

4 (3) Within the motor vehicle account—state appropriation and
5 motor vehicle account—federal appropriation, the department may
6 transfer funds between programs I and P, except for funds that are
7 otherwise restricted in this act. Ten days prior to any transfer, the
8 department must submit its request to the office of financial
9 management and the transportation committees of the legislature and
10 consider any concerns raised. The department shall submit a report on
11 fiscal year funds transferred in the prior fiscal year using this
12 subsection as part of the department's annual budget submittal.

13 (4) (~~The connecting Washington account—state appropriation~~
14 ~~includes up to \$326,594,000 in proceeds from the sale of bonds~~
15 ~~authorized in RCW 47.10.889.~~

16 ~~(5))~~) The special category C account—state appropriation includes
17 up to (~~(\$51,460,000)~~) \$34,350,000 in proceeds from the sale of bonds
18 authorized in RCW 47.10.812.

19 (~~((6))~~) (5) The transportation partnership account—state
20 appropriation includes up to (~~(\$124,629,000)~~) \$98,140,000 in proceeds
21 from the sale of bonds authorized in RCW 47.10.873.

22 (~~((7) \$161,792,000)~~) (6) \$106,947,000 of the transportation
23 partnership account—state appropriation, \$3,882,000 of the motor
24 vehicle account—private/local appropriation, (~~(\$9,000,000)~~)
25 \$4,880,000 of the motor vehicle account—state appropriation, (~~(\$1,000~~
26 ~~of the transportation 2003 account (nickel account)—state~~
27 ~~appropriation,)) and (~~(\$985,000)~~) \$987,000 of the multimodal
28 transportation account—state appropriation are provided solely for
29 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is
30 the intent of the legislature that any legal damages paid to the
31 state as a result of a lawsuit related to contractual provisions for
32 construction and delivery of the Alaskan Way viaduct replacement
33 project be used to repay project cost increases paid from the
34 transportation partnership account—state funds and motor vehicle
35 account—state funds.~~

36 (~~((8) \$186,820,000)~~) (7) \$168,663,000 of the connecting
37 Washington account—state appropriation and \$488,000 of the motor
38 vehicle account—local appropriation are provided solely for the US
39 395 North Spokane Corridor project (M00800R). If the department

1 expects the original scope of this project to be completed under
2 budget when a final design is approved for the interchange with I-90
3 and nearby on ramp access, then the scope of work for this project
4 must also include constructing a land bridge in the vicinity of
5 Liberty Park in Spokane, if appropriations are sufficient. It is the
6 intent of the legislature, consistent with the move ahead WA
7 proposal, to advance future funding for this project in order to
8 accelerate delivery by up to two years.

9 ~~((9))~~ (8) (a) ~~((\$177,982,000))~~ \$20,962,000 of the Interstate 405
10 and state route number 167 express toll lanes account—state
11 appropriation is provided solely for the I-405/SR 522 to I-5 Capacity
12 Improvements project (L2000234) for activities related to adding
13 capacity on Interstate 405 between state route number 522 and
14 Interstate 5, with the goals of increasing vehicle throughput and
15 aligning project completion with the implementation of bus rapid
16 transit in the vicinity of the project.

17 (b) The department may advance the I-405/SR 522 to I-5 Capacity
18 Improvements project (L2000234) and construct the project earlier
19 than is scheduled in the LEAP transportation document referenced in
20 subsection (2) of this section if additional funding is identified
21 and submitted through the existing unanticipated receipts process by
22 September 1, 2021. The department and the state treasurer shall
23 pursue alternatives to toll revenue funding including but not limited
24 to federal loan and grant programs. The department shall explore
25 phasing and modifying the project to attempt to align project
26 completion with the anticipated deployment of bus rapid transit on
27 the corridor in the 2023-2025 biennium. The department shall report
28 back to the transportation committees of the legislature on this work
29 by September 15, 2021.

30 ~~((10))~~ (9) (a) ~~((\$329,681,000))~~ \$309,774,000 of the connecting
31 Washington account—state appropriation, \$70,886,000 of the state
32 route number 520 corridor account—state appropriation, and
33 ~~((\$1,021,000))~~ \$1,411,000 of the motor vehicle account—private/local
34 appropriation are provided solely for the SR 520 Seattle Corridor
35 Improvements - West End project (M00400R).

36 (b) Upon completion of the Montlake Phase of the West End project
37 (current anticipated contract completion of 2023), the department
38 shall sell that portion of the property not used for permanent

1 transportation improvements and initiate a process to convey that
2 surplus property to a subsequent owner.

3 (c) Of the amounts provided in this subsection (~~((10))~~) (9),
4 \$100,000 of the state route number 520 corridor account—state
5 appropriation is provided solely for noise mitigation activities. It
6 is the intent of the legislature to provide an additional \$1,000,000
7 for noise mitigation activities over the course of the 16-year move
8 ahead WA funding package.

9 (~~((11))—\$361,296,000~~) (10) \$296,965,000 of the connecting
10 Washington account—state appropriation, (~~(\$4,800,000)~~) \$2,145,000 of
11 the multimodal transportation account—state appropriation,
12 (~~(\$13,725,000)~~) \$4,242,000 of the motor vehicle account—private/local
13 appropriation, \$7,200,000 of the move ahead WA account—federal
14 appropriation, \$8,400,000 of the Puget Sound Gateway facility account
15 —state appropriation, and (~~(\$85,015,000)~~) \$84,515,000 of the motor
16 vehicle account—federal appropriation are provided solely for the SR
17 167/SR 509 Puget Sound Gateway project (M00600R).

18 (a) Any savings on the project must stay on the Puget Sound
19 Gateway corridor until the project is complete.

20 (b) In making budget allocations to the Puget Sound Gateway
21 project, the department shall implement the project's construction as
22 a single corridor investment. The department shall continue to
23 collaborate with the affected stakeholders as it implements the
24 corridor construction and implementation plan for state route number
25 167 and state route number 509. Specific funding allocations must be
26 based on where and when specific project segments are ready for
27 construction to move forward and investments can be best optimized
28 for timely project completion. Emphasis must be placed on avoiding
29 gaps in fund expenditures for either project.

30 (c) It is the legislature's intent that the department shall
31 consult with the joint executive committee and joint steering
32 committee to determine the most appropriate interchange at the
33 junction of state route number 161 (Meridian avenue) and state route
34 number 167.

35 (d) Of the amounts provided in this subsection, \$2,300,000 of the
36 multimodal transportation account—state appropriation is provided
37 solely for the design phase of the Puyallup to Tacoma multiuse trail
38 along the SR 167 right-of-way acquired for the project to connect a

1 network of new and existing trails from Mount Rainier to Point
2 Defiance Park.

3 (e) Of the amounts provided in this subsection, \$2,500,000 of the
4 multimodal transportation account—state appropriation is provided
5 solely for segment 2 of the state route number 167 completion project
6 shared-use path to provide connections to the interchange of state
7 route number 167 at 54th to the intersection of state route number
8 509 and Taylor Way in Tacoma.

9 ~~((12)(a) \$25,378,000 of the motor vehicle account—state~~
10 ~~appropriation and \$413,000 of the motor vehicle account—private/local~~
11 ~~appropriation are provided solely to support a project office and the~~
12 ~~continued work toward the I-5 Interstate Bridge Replacement project~~
13 ~~(L2000370).~~

14 ~~(b) The project office must also study the possible different~~
15 ~~governance structures for a bridge authority that would provide for~~
16 ~~the joint administration of the bridges over the Columbia river~~
17 ~~between Oregon and Washington. As part of this study, the project~~
18 ~~office must examine the feasibility and necessity of an interstate~~
19 ~~compact in conjunction with the national center for interstate~~
20 ~~compacts.~~

21 ~~(c) During the 2021-2023 biennium, the department shall have as a~~
22 ~~goal to:~~

23 ~~(i) Conduct all work necessary to prepare and publish a draft~~
24 ~~SEIS;~~

25 ~~(ii) Coordinate with regulatory agencies to begin the process of~~
26 ~~obtaining environmental approvals and permits;~~

27 ~~(iii) Identify a locally preferred alternative; and~~

28 ~~(iv) Begin preparing a final SEIS.~~

29 The department shall aim to provide progress reports on these
30 activities to the governor and the transportation committees of the
31 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

32 ~~(13))~~ (11)(a) ((\$400,000,000)) \$100,000,000 of the coronavirus
33 state fiscal recovery fund—federal appropriation, ~~(((\$25,327,000))~~
34 \$167,194,000 of the connecting Washington account—state
35 appropriation, \$35,263,000 of the motor vehicle account—federal
36 appropriation, \$5,618,000 of the motor vehicle account—local
37 appropriation, \$9,016,000 of the transportation partnership account—
38 state appropriation, \$83,133,000 of the move ahead WA account—state
39 appropriation, and \$149,776,000 of the motor vehicle account—state

1 appropriation are provided solely for the Fish Passage Barrier
2 Removal project (0BI4001) (~~with the intent of fully complying with~~
3 ~~the federal U.S. v. Washington court injunction by 2030~~)).

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

16 (c) The department shall coordinate with the Brian Abbott fish
17 passage barrier removal board to use a watershed approach by
18 replacing both state and local culverts guided by the principle of
19 providing the greatest fish habitat gain at the earliest time. The
20 department shall deliver high habitat value fish passage barrier
21 corrections that it has identified, guided by the following factors:
22 Opportunity to bundle projects, tribal priorities, ability to
23 leverage investments by others, presence of other barriers, project
24 readiness, culvert conditions, other transportation projects in the
25 area, and transportation impacts. The department and Brian Abbott
26 fish barrier removal board must provide updates on the implementation
27 of the statewide culvert remediation plan to the legislature by
28 November 1, 2021, and June 1, 2022.

29 ~~((e))~~ (d) The department must keep track of, for each barrier
30 removed: (i) The location; (ii) the amount of fish habitat gain; and
31 (iii) the amount spent to comply with the injunction.

32 ~~((d))~~ (e) Of the amount provided in this subsection,
33 \$142,923,000 of the motor vehicle account—federal appropriation
34 reflects the department's portion of the unrestricted funds from the
35 coronavirus response and relief supplemental appropriations act of
36 2021. If the final amount from this act changes while the legislature
37 is not in session, the department shall follow the existing
38 unanticipated receipt process and adjust the list referenced in
39 subsection (1) of this section accordingly, supplanting state funds
40 with federal funds if possible as directed in section ~~((601, chapter~~

1 ~~333, Laws of 2021))~~ 601 of this act, chapter . . ., Laws of 2023
2 (this act).

3 ~~((14) \$14,367,000)~~ (12) \$13,542,000 of the connecting
4 Washington account—state appropriation ~~(, \$311,000 of the motor~~
5 ~~vehicle account—state appropriation,)~~ and ~~((3,149,000))~~ \$4,285,000
6 of the motor vehicle account—private/local appropriation are provided
7 solely for the I-90/Barker to Harvard - Improve Interchanges & Local
8 Roads project (L2000122). The connecting Washington account
9 appropriation for the improvements that fall within the city of
10 Liberty Lake may only be expended if the city of Liberty Lake agrees
11 to cover any project costs within the city of Liberty Lake above the
12 ~~((20,900,000))~~ \$19,575,000 of state appropriation provided for the
13 total project on the list referenced in subsection (1) of this
14 section.

15 ~~((15) \$16,984,000)~~ (13) \$17,071,000 of the motor vehicle
16 account—federal appropriation, ~~((269,000))~~ \$177,000 of the motor
17 vehicle account—state appropriation, and ~~((17,900,000))~~ \$13,666,000
18 of the Interstate 405 and state route number 167 express toll lanes
19 account—state appropriation are provided solely for the SR 167/SR 410
20 to SR 18 - Congestion Management project (316706C).

21 ~~((16) \$18,915,000)~~ (14) \$17,019,000 of the Special Category C
22 account—state appropriation is provided solely for the SR 18 Widening
23 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
24 and widening state route number 18 to four lanes from Issaquah-Hobart
25 Road to Raging River.

26 ~~((17))~~ (15) \$2,500,000 of the connecting Washington account—
27 state appropriation is provided solely for the North Lewis County
28 transportation study. The study shall examine new, alternate routes
29 for vehicular and truck traffic at the Harrison interchange (Exit 82)
30 in North Centralia and shall allow for a site and configuration to be
31 selected and feasibility to be conducted for final design,
32 permitting, and construction of the I-5/North Lewis county
33 Interchange project (L2000204). It is the intent of the legislature
34 to advance future funding for this project to accelerate delivery by
35 up to two years.

36 ~~((18) \$1,237,000)~~ (16) \$148,000 of the motor vehicle account—
37 state appropriation is provided solely for the US 101/East Sequim
38 Corridor Improvements project (L2000343).

1 (~~(19)~~ \$2,197,000)) (17) (a) \$1,223,000 of the motor vehicle
2 account—state appropriation (~~(and \$749,000 of the connecting~~
3 ~~Washington account—state appropriation are)~~) is provided solely for
4 the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/
5 Engineering) project (NPARADI).

6 (b) The department must consider reserving portions of state
7 route 522, including designated lanes or ramps, for the exclusive or
8 preferential use of public transportation vehicles, privately owned
9 buses, motorcycles, private motor vehicles carrying not less than a
10 specified number of passengers, or private transportation provider
11 vehicles pursuant to RCW 47.52.025.

12 (~~(20)~~ \$1,455,000)) (18) \$1,382,000 of the motor vehicle account—
13 federal appropriation is provided solely for the US 101/Morse Creek
14 Safety Barrier project (L1000247).

15 (~~(21)~~ \$1,000,000)) (19) \$780,000 of the motor vehicle account—
16 state appropriation is provided solely for the SR 162/410 Interchange
17 Design and Right of Way project (L1000276).

18 (~~(22)~~ \$7,185,000)) (20) \$1,892,000 of the connecting Washington
19 account—state appropriation is provided solely for the US Hwy 2
20 Safety project (N00200R).

21 (~~(23)~~) (21) The department shall itemize all future requests
22 for the construction of buildings on a project list and submit them
23 through the transportation executive information system as part of
24 the department's annual budget submittal. It is the intent of the
25 legislature that new facility construction must be transparent and
26 not appropriated within larger highway construction projects.

27 (~~(24)~~) (22) Any advisory group that the department convenes
28 during the 2021-2023 fiscal biennium must consider the interests of
29 the entire state of Washington.

30 (~~(25)~~) (23) The legislature continues to prioritize the
31 replacement of the state's aging infrastructure and recognizes the
32 importance of reusing and recycling construction aggregate and
33 recycled concrete materials in our transportation system. To
34 accomplish Washington state's sustainability goals in transportation
35 and in accordance with RCW 70.95.805, the legislature reaffirms its
36 determination that recycled concrete aggregate and other
37 transportation building materials are natural resource construction
38 materials that are too valuable to be wasted and landfilled, and are
39 a commodity as defined in WAC 173-350-100.

1 Further, the legislature determines construction aggregate and
2 recycled concrete materials substantially meet widely recognized
3 international, national, and local standards and specifications
4 referenced in American society for testing and materials, American
5 concrete institute, Washington state department of transportation,
6 Seattle department of transportation, American public works
7 association, federal aviation administration, and federal highway
8 administration specifications, and are described as necessary and
9 desirable products for recycling and reuse by state and federal
10 agencies.

11 As these recyclable materials have well established markets, are
12 substantially a primary or secondary product of necessary
13 construction processes and production, and are managed as an item of
14 commercial value, construction aggregate and recycled concrete
15 materials are exempt from chapter 173-350 WAC.

16 ~~((26))~~ (24) \$2,738,000 of the motor vehicle account—state
17 appropriation is provided solely for the US 97 Wildlife Crossing
18 Improvements project (L2021117). It is the intent of the legislature
19 that, to the extent possible, the department use this funding as
20 match for competitive federal funding to make additional wildlife
21 crossing improvements on the corridor. The department must report to
22 the transportation committees of the legislature with additional
23 corridors that could benefit from wildlife crossing improvements and
24 that are likely to successfully compete for federal funding.

25 ~~((27) \$12,635,000)~~ (25) \$2,830,000 of the connecting Washington
26 account—state appropriation is provided solely for the SR 3 Freight
27 Corridor (T30400R) project. The legislature intends to provide a
28 total of \$78,910,000 for this project, including an increase of
29 \$12,000,000 in future biennia to safeguard against inflation and
30 supply/labor interruptions and ensure that:

31 (a) The northern terminus remains at Lake Flora Road and the
32 southern terminus at the intersection of SR 3/SR 302;

33 (b) Multimodal safety improvements at the southern terminus
34 remain in the project to provide connections to North Mason school
35 district and provide safe routes to schools; and

36 (c) Intersections on the freight corridor are constructed at
37 Romance Hill and Log Yard road.

38 ~~((28) \$450,000 of the motor vehicle account—state appropriation~~
39 ~~is provided solely for the SR 900 Safety Improvements project~~

1 ~~(L2021118). The department must: (a) Work in collaboration with King~~
2 ~~county and Skyway coalition to align community assets, transportation~~
3 ~~infrastructure needs, and initial design for safety improvements~~
4 ~~along SR 900; and (b) work with the Skyway coalition to lead~~
5 ~~community planning engagement and active transportation activities.~~

6 ~~(29) \$5,694,000))~~ (26) \$5,686,000 of the connecting Washington
7 account—state appropriation is provided solely for the I-5/Chamber
8 Way Interchange Vicinity Improvements project.

9 ~~((30) \$500,000))~~ (27) \$166,000 of the motor vehicle account—
10 state appropriation is provided solely for SR 162/SR 161 Additional
11 Connectivity in South Pierce County project (L1000312) to conduct a
12 study on the need for additional connectivity in the area between SR
13 162, south of Military Road East and north of Orting, and SR 161 in
14 South Pierce county.

15 (28) (a) It is the intent of the legislature, over the 16-year
16 move ahead WA investment program, to provide \$500,000,000 for the
17 stormwater retrofits and improvements project (L4000040).

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

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

33 (29) \$3,000,000 of the move ahead WA—state appropriation is
34 provided solely for the US 2 Trestle Capacity Improvements &
35 Westbound Trestle Replacement project (L4000056). It is the intent of
36 the legislature, over the 16-year move ahead WA investment program,
37 to provide \$210,541,000 for planning, design, right-of-way
38 acquisition, interim improvements, and initial construction. It is
39 the further intent of the legislature that this project enhance

1 multimodal mobility options on the US 2 Trestle. The planning, design
2 and engineering work must consider options to enhance transit and
3 multimodal mobility, including bus rapid transit. The department must
4 report to the legislature with its preliminary analysis of these
5 options by June 30, 2023.

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

25 (31) (a) \$25,379,000 of the motor vehicle account—state
26 appropriation, \$36,414,000 of the motor vehicle account—private/local
27 appropriation, and \$10,000,000 of the move ahead WA account—state
28 appropriation are provided solely for the I-5 Columbia River Bridge
29 (L4000054) including support of a project office and the continued
30 work toward replacing the I-5 Columbia River Bridge. The legislature
31 finds that the replacement of the I-5 Columbia River Bridge is a
32 project of national significance and is critical for the movement of
33 freight. Replacing the aging Interstate Bridge with a modern,
34 seismically resilient, multimodal structure that provides improved
35 mobility for people, goods and services is a high priority.
36 Therefore, the legislature intends to support the replacement of the
37 I-5 Columbia River Bridge with an investment of \$1,000,000,000 over
38 the 16-year move ahead WA investment program.

1 (b) The project office in subsection (a) of this section must
2 study the possible different governance structures for a bridge
3 authority that would provide for the joint administration of the
4 bridges over the Columbia river between Oregon and Washington. As
5 part of this study, the project office must examine the feasibility
6 and necessity of an interstate compact in conjunction with the
7 national center for interstate compacts.

8 (c) During the 2021-2023 biennium, the department shall have as a
9 goal to:

10 (i) Conduct all work necessary to prepare and publish a draft
11 SEIS;

12 (ii) Coordinate with regulatory agencies to begin the process of
13 obtaining environmental approvals and permits;

14 (iii) Identify a locally preferred alternative; and

15 (iv) Begin preparing a final SEIS.

16 **Sec. 1107.** 2022 c 186 s 306 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

19	Recreational Vehicle Account—State Appropriation.	\$1,520,000
20	Transportation 2003 Account (Nickel Account)—State	
21	Appropriation.	\$53,911,000
22	Transportation Partnership Account—State	
23	Appropriation.	(\$21,441,000)
24		<u>\$23,038,000</u>
25	Motor Vehicle Account—State Appropriation.	(\$111,174,000)
26		<u>\$123,099,000</u>
27	Motor Vehicle Account—Federal Appropriation.	(\$545,560,000)
28		<u>\$261,466,000</u>
29	Motor Vehicle Account—Private/Local Appropriation.	(\$13,735,000)
30		<u>\$13,734,000</u>
31	Connecting Washington Account—State Appropriation.	(\$224,342,000)
32		<u>\$112,845,000</u>
33	State Route Number 520 Corridor Account—State	
34	Appropriation.	(\$2,143,000)
35		<u>\$812,000</u>
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation.	(\$5,676,000)
38		<u>\$3,578,000</u>

1	Alaskan Way Viaduct Replacement Project Account—	
2	State Appropriation.	((\$391,000))
3		<u>\$251,000</u>
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	((\$12,830,000))
6		<u>\$9,216,000</u>
7	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$94,888,000</u>
8	<u>Move Ahead WA Account—Federal Appropriation.</u>	<u>\$45,112,000</u>
9	TOTAL APPROPRIATION.	((\$992,723,000))
10		<u>\$743,470,000</u>

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

13 (1) Except as provided otherwise in this section, the entire
14 connecting Washington account—state appropriation and the entire
15 transportation partnership account—state appropriation are provided
16 solely for the projects and activities as listed by fund, project,
17 and amount in LEAP Transportation Document ((~~2022-1~~)) 2023-1 as
18 developed March ((~~9, 2022~~)) 26, 2023, Program - Highway Preservation
19 Program (P). However, limited transfers of specific line-item project
20 appropriations may occur between projects for those amounts listed
21 subject to the conditions and limitations in section ((~~601, chapter~~
22 ~~333, Laws of 2021~~)) 601 of this act, chapter . . ., Laws of 2023
23 (this act).

24 (2) Except as provided otherwise in this section, the entire
25 motor vehicle account—state appropriation and motor vehicle account—
26 federal appropriation are provided solely for the projects and
27 activities listed in LEAP Transportation Document ((~~2022-2~~)) 2023-2
28 ALL PROJECTS as developed March ((~~9, 2022~~)) 26, 2023, Program -
29 Highway Preservation Program (P). Any federal funds gained through
30 efficiencies, adjustments to the federal funds forecast, or the
31 federal funds redistribution process must then be applied to highway
32 and bridge preservation activities or fish passage barrier
33 corrections (OBI4001) ((~~, as long as the application of the funds is~~
34 ~~not inconsistent with subsection (10) of this section~~)).

35 (3) Within the motor vehicle account—state appropriation and
36 motor vehicle account—federal appropriation, the department may
37 transfer funds between programs I and P, except for funds that are
38 otherwise restricted in this act. Ten days prior to any transfer, the
39 department must submit its request to the office of financial

1 management and the transportation committees of the legislature and
2 consider any concerns raised. The department shall submit a report on
3 fiscal year funds transferred in the prior fiscal year using this
4 subsection as part of the department's annual budget submittal.

5 (4) \$8,531,000 of the connecting Washington account—state
6 appropriation is provided solely for the land mobile radio upgrade
7 (G2000055) and is subject to the conditions, limitations, and review
8 provided in section 701, chapter 333, Laws of 2021. The land mobile
9 radio project is subject to technical oversight by the office of the
10 chief information officer. The department, in collaboration with the
11 office of the chief information officer, shall identify where
12 existing or proposed mobile radio technology investments should be
13 consolidated, identify when existing or proposed mobile radio
14 technology investments can be reused or leveraged to meet multiagency
15 needs, increase mobile radio interoperability between agencies, and
16 identify how redundant investments can be reduced over time. The
17 department shall also provide quarterly reports to the technology
18 services board on project progress.

19 (5) \$5,000,000 of the motor vehicle account—state appropriation
20 is provided solely for extraordinary costs incurred from litigation
21 awards, settlements, or dispute mitigation activities not eligible
22 for funding from the self-insurance fund (L2000290). The amount
23 provided in this subsection must be held in unallotted status until
24 the department submits a request to the office of financial
25 management that includes documentation detailing litigation-related
26 expenses. The office of financial management may release the funds
27 only when it determines that all other funds designated for
28 litigation awards, settlements, and dispute mitigation activities
29 have been exhausted. No funds provided in this subsection may be
30 expended on any legal fees related to the SR 99/Alaskan Way viaduct
31 replacement project (809936Z).

32 (6) \$11,679,000 of the motor vehicle account—federal
33 appropriation is provided solely for preservation projects within
34 project L1100071 that ensure the reliable movement of freight on the
35 national highway freight system. The department shall give priority
36 to those projects that can be advertised by September 30, 2021.

37 (7) The appropriation in this section includes funding for
38 starting planning, engineering, and construction of the Elwha River

1 bridge replacement. To the greatest extent practicable, the
2 department shall maintain public access on the existing route.

3 (8) Within the connecting Washington account—state appropriation,
4 the department may transfer funds from Highway System Preservation
5 (L1100071) to other preservation projects listed in the LEAP
6 transportation document identified in subsection (1) of this section,
7 if it is determined necessary for completion of these high priority
8 preservation projects. The department's next budget submittal after
9 using this subsection must appropriately reflect the transfer.

10 (9) \$1,700,000 of the motor vehicle account—state appropriation
11 is provided solely for the SR 109/88 Corner Roadway project
12 (G2000106).

13 (10) \$94,888,000 of the move ahead WA account—state appropriation
14 and \$45,112,000 of the move ahead WA account—federal appropriation is
15 provided solely for highway preservation (L4000057). The department
16 must use funding provided in this subsection, along with other funds
17 at its discretion, for the following preservation projects:

- 18 (a) I-5/SB Denny Way-Lakeview Viaduct;
- 19 (b) I-5/SB&NB Concrete and Joint Replacement;
- 20 (c) SR 529/NB Snohomish River - Bridge Rehabilitation and
21 Painting;
- 22 (d) I-5/SB Snohomish River Bridge Painting.

23 **Sec. 1108.** 2022 c 186 s 307 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
26 **CAPITAL**

27	Motor Vehicle Account—State Appropriation.	((\$9,618,000))
28		<u>\$10,084,000</u>
29	Motor Vehicle Account—Federal Appropriation.	\$11,215,000
30	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$900,000
33	TOTAL APPROPRIATION.	((\$22,233,000))
34		<u>\$22,699,000</u>

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

37 (1) \$579,000 of the motor vehicle account—state appropriation is
38 provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

1 (2) \$1,001,000 of the motor vehicle account—state appropriation
2 and \$2,060,000 of the motor vehicle account—federal appropriation are
3 provided solely for the Challenge Seattle project (000009Q). The
4 department shall provide a progress report on this project to the
5 transportation committees of the legislature by January 15, 2022.

6 **Sec. 1109.** 2022 c 186 s 308 (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.	((\$167,533,000))
12		<u>\$139,563,000</u>
13	Puget Sound Capital Construction Account—Federal	
14	Appropriation.	((\$180,571,000))
15		<u>\$154,759,000</u>
16	Puget Sound Capital Construction Account—	
17	Private/Local Appropriation.	((\$2,181,000))
18		<u>\$1,844,000</u>
19	Transportation Partnership Account—State	
20	Appropriation.	((\$9,432,000))
21		<u>\$3,759,000</u>
22	Connecting Washington Account—State Appropriation.	((\$99,141,000))
23		<u>\$97,904,000</u>
24	Capital Vessel Replacement Account—State	
25	Appropriation.	((\$45,668,000))
26		<u>\$5,769,000</u>
27	((Motor Vehicle Account—State Appropriation. \$1,000))	
28	Transportation 2003 Account (Nickel Account)—State	
29	Appropriation.	\$987,000
30	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$2,804,000</u>
31	TOTAL APPROPRIATION.	((\$505,514,000))
32		<u>\$407,389,000</u>

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

35 (1) Except as provided otherwise in this section, the entire
36 appropriations in this section are provided solely for the projects
37 and activities as listed in LEAP Transportation Document ((2022-2))

1 2023-2 ALL PROJECTS as developed March (~~9, 2022~~) 26, 2023, Program
2 - Washington State Ferries Capital Program (W).

3 (2) For the 2021-2023 biennium, the marine division shall provide
4 to the office of financial management and the legislative
5 transportation committees the following reports on ferry capital
6 projects:

7 (a) On a semiannual basis the report must include a status update
8 on projects with funding provided in subsections (4), (5), (6), and
9 (8) of this section including, but not limited to, the following:

- 10 (i) Anticipated cost increases and cost savings;
11 (ii) Anticipated cash flow and schedule changes; and
12 (iii) Explanations for the changes.

13 (b) On an annual basis the report must include a status update on
14 vessel and terminal preservation and improvement plans including, but
15 not limited to, the following:

- 16 (i) What work has been done;
17 (ii) How have schedules shifted; and
18 (iii) Associated changes in funding among projects, accompanied
19 by explanations for the changes.

20 (c) On an annual basis the report must include an update on the
21 implementation of the maintenance management system with
22 recommendations for using the system to improve the efficiency of
23 project reporting under this subsection.

24 (3) (~~(\$12,232,000)~~) \$19,940,000 of the Puget Sound capital
25 construction account—state appropriation is provided solely for
26 emergency capital repair costs (999910K). Funds may only be spent
27 after approval by the office of financial management.

28 (4) (~~(\$2,385,000)~~) \$2,384,000 of the Puget Sound capital
29 construction account—state appropriation is provided solely for the
30 ORCA card next generation project (L2000300). The ferry system shall
31 work with Washington technology solutions and the tolling division on
32 the development of a new, interoperable ticketing system.

33 (5) (~~(\$28,134,000)~~) \$3,656,000 of the Puget Sound capital
34 construction account—state appropriation is provided solely for the
35 conversion of up to two Jumbo Mark II vessels to electric hybrid
36 propulsion (G2000084). The department shall seek additional funds for
37 the purposes of this subsection. The department may spend from the
38 Puget Sound capital construction account—state appropriation in this

1 section only as much as the department receives in Volkswagen
2 settlement funds for the purposes of this subsection.

3 (6) (~~(\$45,668,000)~~) \$5,769,000 of the capital vessel replacement
4 account—state appropriation is provided solely for the acquisition of
5 a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature
6 amended RCW 47.60.810 to direct the department to modify an existing
7 vessel construction contract to provide for an additional five
8 ferries. As such, it is the intent of the legislature that the
9 department award the contract for the hybrid electric Olympic class
10 vessel #5(L2000329) in a timely manner. In addition, the legislature
11 intends to minimize costs and maximize construction efficiency by
12 providing sufficient funding for construction of all five vessels,
13 including funding for long lead time materials procured at the lowest
14 possible prices. The commencement of construction of new vessels for
15 the ferry system is important not only for safety reasons, but also
16 to keep skilled marine construction jobs in the Puget Sound region
17 and to sustain the capacity of the region to meet the ongoing
18 construction and preservation needs of the ferry system fleet of
19 vessels. The legislature has determined that the current vessel
20 procurement process must move forward with all due speed, balancing
21 the interests of both the taxpayers and shipyards. To accomplish
22 construction of vessels in accordance with RCW 47.60.810, the
23 prevailing shipbuilder, for vessels initially funded after July 1,
24 2020, is encouraged to follow the historical practice of
25 subcontracting the construction of ferry superstructures to a
26 separate nonaffiliated contractor located within the Puget Sound
27 region, that is qualified in accordance with RCW 47.60.690. If the
28 department elects not to execute a new modification to an existing
29 option contract for one or more additional 144-auto ferries under RCW
30 47.60.810(4), the department shall proceed with development of a new
31 design-build request for proposals in accordance with RCW 47.60.810,
32 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,
33 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this
34 section, \$200,000 is provided solely for hiring an independent
35 owner's representative to perform quality oversight, manage the
36 change order process, and ensure contract compliance.

37 (7) The capital vessel replacement account—state appropriation
38 includes up to (~~(\$45,468,000)~~) \$5,769,000 in proceeds from the sale
39 of bonds authorized in RCW 47.10.873.

1 (8) (~~(\$4,200,000)~~) \$2,838,000 of the connecting Washington
2 account—state appropriation is provided solely for ferry vessel and
3 terminal preservation (L2000110). The funds provided in this
4 subsection must be used for unplanned preservation needs before
5 shifting funding from other preservation projects.

6 (9) \$2,804,000 of the move ahead Washington account—state
7 appropriation is provided solely for the preservation of the MV
8 Tillikum (9444413B).

9 **Sec. 1110.** 2022 c 186 s 309 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

12 Essential Rail Assistance Account—State	
13 Appropriation.	\$1,108,000
14 Transportation Infrastructure Account—State	
15 Appropriation.	((\$6,218,000))
16	<u>\$6,219,000</u>
17 Multimodal Transportation Account—State	
18 Appropriation.	((\$118,320,000))
19	<u>\$61,681,000</u>
20 Multimodal Transportation Account—Federal	
21 Appropriation.	((\$6,567,000))
22	<u>\$7,885,000</u>
23 Multimodal Transportation Account—Private/Local	
24 Appropriation.	\$13,000
25 Motor Vehicle Account—State Appropriation.	\$1,810,000
26 TOTAL APPROPRIATION.	((\$134,036,000))
27	<u>\$78,716,000</u>

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

30 (1) Except as provided otherwise in this section, the entire
31 appropriations in this section are provided solely for the projects
32 and activities as listed by project and amount in LEAP Transportation
33 Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9,~~
34 ~~2022)~~) 26, 2023, Program - Rail Program (Y).

35 (2) \$5,089,000 of the transportation infrastructure account—state
36 appropriation is provided solely for new low-interest loans approved
37 by the department through the freight rail investment bank (FRIB)
38 program. The department shall issue FRIB program loans with a

1 repayment period of no more than ten years, and charge only so much
2 interest as is necessary to recoup the department's costs to
3 administer the loans. The department shall report annually to the
4 transportation committees of the legislature and the office of
5 financial management on all FRIB loans issued. FRIB program loans may
6 be recommended by the department for 2022 supplemental transportation
7 appropriations up to the amount provided in this appropriation that
8 has not been provided for the projects listed in (~~2021-2~~) 2023-2
9 ALL PROJECTS, as referenced in subsection (1) of this section. The
10 department shall submit a prioritized list for any loans recommended
11 to the office of financial management and the transportation
12 committees of the legislature by November 15, 2021.

13 (3) \$7,041,000 of the multimodal transportation account—state
14 appropriation is provided solely for new statewide emergent freight
15 rail assistance projects identified in the LEAP transportation
16 document referenced in subsection (1) of this section.

17 (4) \$367,000 of the transportation infrastructure account—state
18 appropriation and \$1,100,000 of the multimodal transportation account
19 —state appropriation are provided solely to reimburse Highline Grain,
20 LLC for approved work completed on Palouse River and Coulee City
21 (PCC) railroad track in Spokane county between the BNSF Railway
22 Interchange at Cheney and Geiger Junction and must be administered in
23 a manner consistent with freight rail assistance program projects.
24 The value of the public benefit of this project is expected to meet
25 or exceed the cost of this project in: Shipper savings on
26 transportation costs; jobs saved in rail-dependent industries; and/or
27 reduced future costs to repair wear and tear on state and local
28 highways due to fewer annual truck trips (reduced vehicle miles
29 traveled). The amounts provided in this subsection are not a
30 commitment for future legislatures, but it is the legislature's
31 intent that future legislatures will work to approve biennial
32 appropriations until the full \$7,337,000 cost of this project is
33 reimbursed.

34 (5) (a) \$1,008,000 of the essential rail assistance account—state
35 appropriation is provided solely for the purpose of the
36 rehabilitation and maintenance of the Palouse river and Coulee City
37 railroad line (F01111B).

38 (b) Expenditures from the essential rail assistance account—state
39 in this subsection may not exceed the combined total of:

1 (i) Revenues and transfers deposited into the essential rail
2 assistance account from leases and sale of property relating to the
3 Palouse river and Coulee City railroad;

4 (ii) Revenues from trackage rights agreement fees paid by
5 shippers; and

6 (iii) Revenues and transfers transferred from the miscellaneous
7 program account to the essential rail assistance account, pursuant to
8 RCW 47.76.360, for the purpose of sustaining the grain train program
9 by maintaining the Palouse river and Coulee City railroad.

10 (6) The department shall issue a call for projects for the
11 freight rail assistance program, and shall evaluate the applications
12 in a manner consistent with past practices as specified in section
13 309, chapter 367, Laws of 2011. By November 15, 2022, the department
14 shall submit a prioritized list of recommended projects to the office
15 of financial management and the transportation committees of the
16 legislature.

17 (7) \$32,996,000 of the multimodal transportation account—state
18 appropriation is provided solely for Passenger Rail Equipment
19 Replacement (project 700010C). The appropriation in this subsection
20 include insurance proceeds received by the state. The department must
21 use these funds only to purchase replacement equipment that has been
22 competitively procured and for service recovery needs and corrective
23 actions related to the December 2017 derailment.

24 (8) It is the intent of the legislature to encourage the
25 department to pursue federal grant opportunities leveraging up to
26 \$6,696,000 in connecting Washington programmed funds to be used as a
27 state match to improve the state-owned Palouse river and Coulee City
28 system. The amount listed in this subsection is not a commitment for
29 future legislatures, but is the legislature's intent that future
30 legislatures will work to approve biennial appropriations up to a
31 state match share not to exceed \$6,696,000 of a grant award.

32 (9) \$500,000 of the multimodal transportation account—state
33 appropriation is provided solely for the Chelatchie Prairie railroad
34 for track improvement activities on the northern part of the railroad
35 (L1000311).

36 (10) The entire move ahead WA flexible account—state
37 appropriation in this section is provided solely for the rail
38 projects and activities as listed in LEAP Transportation Document
39 2022 NL-1 as developed March 9, 2022.

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9, 2022)) 26, 2023, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (i) ((~~\$46,163,000~~)) \$29,870,000 of the multimodal transportation account—state appropriation ((~~is~~)) and \$5,496,000 of the climate active transportation account—state are provided solely for pedestrian and bicycle safety program projects (L2000188).

(ii) The state route 99/Aurora Avenue North Planning Study funded in this subsection (2)(a) must prioritize designs that ensure slow vehicle speeds and systematic improvement to the quality of multimodal access, and must be fully completed by September 30, 2023, in order to ensure construction of improvements begin no later than March 1, 2024.

(b) ((~~\$26,086,000~~)) \$18,349,000 of the motor vehicle account—federal appropriation ((~~and—\$21,656,000~~)), \$16,562,000 of the multimodal transportation account—state appropriation, and \$6,686,000 of the climate active transportation account—state appropriation are provided solely for safe routes to school projects (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2021, and December 1, 2022, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status. In its December 1, 2021, report

1 the department must also include recommended changes to the
2 pedestrian safety/safe routes to school grant program application and
3 selection processes to increase utilization by a greater diversity of
4 jurisdictions.

5 (4) (~~(\$11,987,000)~~) \$9,537,000 of the multimodal transportation
6 account—state appropriation is provided solely for connecting
7 Washington bicycle and pedestrian projects listed in the LEAP
8 transportation document referenced in subsection (1) of this section.

9 (5) It is the expectation of the legislature that the department
10 will be administering a local railroad crossing safety grant program
11 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

12 (6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—
13 federal appropriation is provided solely for national highway freight
14 network projects identified on the project list submitted in
15 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
16 October 31, 2016 (L1000169).

17 (7) When the department updates its federally-compliant freight
18 plan, it shall consult the freight mobility strategic investment
19 board on the freight plan update and on the investment plan component
20 that describes how the estimated funding allocation for the national
21 highway freight program for federal fiscal years 2022-2025 will be
22 invested and matched. The investment plan component for the state
23 portion of national highway freight program funds must first address
24 shortfalls in funding for connecting Washington act projects. The
25 department shall complete the freight plan update in compliance with
26 federal requirements and deadlines and shall provide an update on the
27 development of the freight plan, including the investment plan
28 component, when submitting its 2022 supplemental appropriations
29 request.

30 (8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—
31 federal appropriation is provided solely for acceleration of local
32 preservation projects that ensure the reliable movement of freight on
33 the national highway freight system (G2000100). The department will
34 identify projects through its current national highway system asset
35 management call for projects with applications due in February 2021.
36 The department shall give priority to those projects that can be
37 obligated by September 30, 2021.

38 (9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation
39 account—state appropriation is provided solely for a grant to the

1 Northwest Seaport Alliance (NWSA) to lead the creation and
2 coordination of a multistakeholder zero emissions truck collaborative
3 that will: (a) Facilitate the development and implementation of one
4 or more zero-emissions drayage truck demonstration projects in
5 Washington state; and (b) develop a roadmap for transitioning the
6 entire fleet of approximately 4,500 drayage trucks that serve the
7 NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner.

8 (10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington
9 account—state appropriation is provided solely for the I-5/Mellen
10 Street Connector project.

11 (11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state
12 appropriation is provided solely for the 166th/SR 410 Interchange.

13 (12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state
14 appropriation is provided solely for repairs and rehabilitation of
15 the Pierce county ferry landings at Anderson Island and Steilacoom.

16 (13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state
17 appropriation is provided solely for the city of Spokane for
18 preliminary engineering of the US 195/Inland Empire Way project.
19 Funds may be used for predesign environmental assessment work,
20 community engagement, design, and project cost estimation.

21 (14) (a) The entire move ahead WA account—state appropriation and
22 the entire move ahead WA flexible account—state appropriation are
23 provided solely for the move ahead WA local road projects and
24 activities as listed in the LEAP transportation document referenced
25 in subsection (1) of this section.

26 (b) It is the intent of the legislature that \$25,000,000 will be
27 provided as part of the move ahead WA investment package in a future
28 biennium, as indicated on the list identified in subsection (1) of
29 this section, for the Ballard and Magnolia bridge project (L4000123).
30 As part of the project, the Seattle department of transportation must
31 consult with an independent engineering firm to verify that the costs
32 for the type, size, and location preliminary design report (TS&L),
33 environmental impact statement (EIS), and 60 percent design work are
34 within industry cost range standards in advance of moving forward
35 with construction. The Seattle department of transportation must
36 ensure that funds are maximized by limiting the percentage for TS&L,
37 EIS, and 60 percent design work to 10 percent of the total cost of
38 the project. Of the \$25,000,000, \$12,500,000 must remain in
39 unallotted status, and may be distributed to the Seattle department

1 of transportation only upon determination by the office of financial
2 management that the Seattle department of transportation's cost
3 estimates have been verified by an independent engineering firm as
4 within industry cost range standards, and the Seattle department of
5 transportation has secured the additional matching funding needed to
6 complete the TS&L, EIS, and 60 percent design work.

7 (15) \$3,000,000 of the move ahead WA flexible account—state
8 appropriation is provided solely for railroad crossing grant awards
9 that match federal funds for city and county projects which eliminate
10 at-grade highway-rail crossings.

11 (16)(a) The entire climate active transportation account—state
12 appropriation is provided solely for the move ahead WA pedestrian and
13 bike safety projects as listed in the LEAP transportation document
14 referenced in subsection (1) of this section.

15 (b) It is the intent of the legislature that \$50,000,000 will be
16 provided to the Seattle department of transportation to implement
17 Aurora Avenue North Safety Improvements (L4000154). Under this
18 program, the Seattle department of transportation will be required to
19 implement strategic transportation investments for the Aurora Ave N
20 Corridor from N 90th St to N 105th St that ensure slow vehicle
21 speeds, walkability, multimodal mobility, safe routes to local
22 schools, and safety for residents, which will demonstrate the
23 benefits of similar transportation investments for other locations
24 along Aurora Avenue and elsewhere. The Seattle department of
25 transportation must convene a neighborhood oversight board consisting
26 of residents of communities of the Aurora Ave N Corridor to
27 prioritize investments and monitor project implementation. The
28 oversight board should be composed of an equitable representation of
29 local communities along the Aurora Ave N Corridor, including
30 residents with disabilities. The Seattle department of transportation
31 will ensure that the oversight board is consulted on a bimonthly
32 basis during the prioritization process.

33 (b) The legislature intends, upon completion of the State Route
34 99/Aurora Avenue North Planning Study, that projects recommended in
35 the study will be funded by this program. A specific focus must be on
36 access management to consolidate driveways and improve safety for
37 vulnerable users. This work must also include installation of full
38 curb and sidewalks to improve safety, mobility, transit ridership,
39 equity, and work towards the goals set forth in vision zero, target
40 zero, and the Washington state active transportation plan. The

1 Seattle department of transportation must ensure the design and
2 implementation of an accessible sidewalk network to support users
3 with mobility limitations, convenient and accessible transit stops,
4 all ages and abilities bicycle facilities, and safe pedestrian-
5 activated crosswalks that puts safety over speed, balances the needs
6 of different modes, reduces the level of traffic stress experienced
7 by pedestrians and cyclists, connects to existing bicycle and transit
8 networks, creates safe walking and bicycling routes to local schools
9 including crosswalks, improves human and environmental health, and
10 supports the surrounding neighborhoods. The Seattle department of
11 transportation must coordinate with the Washington state department
12 of transportation and King county metro in implementing the
13 investments. The Seattle department of transportation must ensure
14 that funds are maximized by limiting the percentage for planning,
15 predesign, design, permitting, and environmental review to 10 percent
16 of the total cost of each project.

17 **Sec. 1112.** 2022 c 186 s 312 (uncodified) is amended to read as
18 follows:

19 **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS**
20 **MANAGEMENT**

21 (1) As part of the department of transportation's 2023-2025
22 biennial budget request, the department shall provide an overview of
23 capital funds management challenges and recommendations for funds
24 management strategies that would improve the likelihood of increasing
25 performance associated with the following outcomes:

26 (a) Streamlined delivery of the department's capital program and
27 local government capital projects;

28 (b) Increased likelihood that federal funds are committed and
29 used prior to debt backed capital resources;

30 (c) Reduced overall time and cost of administrative efforts of
31 the department and local governments;

32 (d) Ensured federal government contributions regarding its share
33 toward overhead costs;

34 (e) Increased disadvantaged business enterprise program
35 participation and/or funding;

36 (f) Maximized amount of federal redistributed and grant funding
37 received by the state, including how to position the state for
38 providing state matching funds for federal grant opportunities;

39 (g) Increased clarity on how federal funds are administered;

1 (h) Identification of opportunities to leverage current and
2 future toll credits secured by the state; and

3 (i) Minimized risk of audit findings related to federal funds.

4 (2) The department may provide recommendations on the
5 transportation appropriations act structure and project list
6 amendments to most efficiently utilize state and federal capital
7 funds.

8 (3) As part of the department's 2023-2025 biennial budget
9 request, the department shall also report on:

10 (a) The federal grant programs it has applied for;

11 (b) The federal competitive grant programs it could have applied
12 for but did not and the reason or reasons it did not apply; and

13 (c) The potential to use a federal fund exchange program to most
14 efficiently use state and local federal funds.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 1201. 2022 c 186 s 401 (uncodified) is amended to read as
3 follows:

4 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
5 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND
6 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND
7 REVENUE

8	Transportation Partnership Account—State	
9	Appropriation.	((\$794,000))
10		<u>\$273,000</u>
11	((Connecting Washington Account—State Appropriation.	\$1,633,000))
12	Special Category C Account—State Appropriation.	((\$257,000))
13		<u>\$74,000</u>
14	Highway Bond Retirement Account—State Appropriation	((\$1,408,622,000))
15		<u>\$1,406,513,000</u>
16	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
17	Transportation Improvement Board Bond Retirement	
18	Account—State Appropriation.	((\$18,152,000))
19		<u>\$18,055,000</u>
20	Nondebt-Limit Reimbursable Bond Retirement Account—	
21	State Appropriation.	((\$26,278,000))
22		<u>\$29,238,000</u>
23	Toll Facility Bond Retirement Account—State	
24	Appropriation.	\$76,376,000
25	TOTAL APPROPRIATION.	((\$1,542,811,000))
26		<u>\$1,547,679,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$6,451,550 of the transportation
29 improvement board bond retirement account—state appropriation is
30 provided solely for the prepayment of certain outstanding bonds and
31 debt service.

32 Sec. 1202. 2022 c 186 s 402 (uncodified) is amended to read as
33 follows:

34 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
35 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND
36 FISCAL AGENT CHARGES

37 Transportation Partnership Account—State

1	Appropriation.	((\$150,000))
2		<u>\$51,000</u>
3	((Connecting Washington Account—State Appropriation.	\$327,000))
4	Special Category C Account—State Appropriation.	((\$51,000))
5		<u>\$18,000</u>
6	<u>Transportation Improvement Account—State</u>	
7	<u>Appropriation.</u>	<u>\$20,000</u>
8	TOTAL APPROPRIATION.	((\$548,000))
9		<u>\$89,000</u>

10 **Sec. 1203.** 2022 c 186 s 403 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

13	Motor Vehicle Account—State Appropriation: For motor	
14	vehicle fuel tax statutory distributions to	
15	cities and counties.	((\$474,003,000))
16		<u>\$467,037,000</u>

17	Multimodal Transportation Account—State	
18	Appropriation: For distribution to cities and	
19	counties.	\$26,786,000

20	Motor Vehicle Account—State Appropriation: For	
21	distribution to cities and counties.	\$23,438,000

22 **Sec. 1204.** 2022 c 186 s 404 (uncodified) is amended to read as
23 follows:

24 **FOR THE STATE TREASURER—TRANSFERS**

25	Motor Vehicle Account—State Appropriation: For motor	
26	vehicle fuel tax refunds and statutory	
27	transfers.	((\$2,000,419,000))
28		<u>\$1,971,401,000</u>

29 **Sec. 1205.** 2022 c 186 s 405 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

32	Motor Vehicle Account—State Appropriation: For motor	
33	vehicle fuel tax refunds and transfers.	((\$240,330,000))
34		<u>\$264,160,000</u>

1 **Sec. 1206.** 2022 c 186 s 406 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

4 (1) Highway Safety Account—State Appropriation:

5 For transfer to the State Patrol Highway

6 Account—State. ((\$47,000,000))

7 \$50,000,000

8 ~~(2) ((a) Transportation Partnership Account—State~~

9 ~~Appropriation: For transfer to the Capital Vessel~~

10 ~~Replacement Account—State. \$45,468,000~~

11 ~~(b) The amount transferred in this subsection represents proceeds~~
12 ~~from the sale of bonds authorized in RCW 47.10.873.~~

13 ~~(3)) (a) Transportation Partnership Account—State~~

14 ~~Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account~~

15 ~~—State. \$30,293,000~~

16 (b) It is the intent of the legislature that this transfer is
17 temporary, for the purpose of minimizing the impact of toll
18 increases. An equivalent reimbursing transfer is to occur after the
19 debt service and deferred sales tax on the Tacoma Narrows bridge
20 construction costs are fully repaid in accordance with chapter 195,
21 Laws of 2018.

22 ~~((4)) (3) (a) Motor Vehicle Account—State Appropriation:~~

23 ~~For transfer to Alaskan Way Viaduct Replacement Project~~

24 ~~Account—State. \$6,000,000~~

25 (b) The funds provided in (a) of this subsection are a loan to
26 the Alaskan Way viaduct replacement project account—state, and the
27 legislature assumes that these funds will be reimbursed to the motor
28 vehicle account—state at a later date when traffic on the toll
29 facility has recovered from the COVID-19 pandemic.

30 ~~((5)) (4) Motor Vehicle Account—State Appropriation:~~

31 ~~For transfer to the County Arterial Preservation~~

32 ~~Account—State. \$7,666,000~~

33 ~~((6)) (5) Motor Vehicle Account—State Appropriation:~~

34 ~~For transfer to the Freight Mobility Investment~~

35 ~~Account—State. \$5,511,000~~

36 ~~((7)) (6) Motor Vehicle Account—State Appropriation:~~

37 ~~For transfer to the Rural Arterial Trust Account—State. . . \$9,331,000~~

38 ~~((8)) (7) Motor Vehicle Account—State Appropriation:~~

39 ~~For transfer to the Transportation Improvement~~

1 Account—State. \$9,688,000
2 ((~~9~~)) (8) Rural Mobility Grant Program Account—State
3 Appropriation: For transfer to the Multimodal
4 Transportation Account—State. \$3,000,000
5 ((~~10~~)) (9)(a) State Route Number 520 Civil Penalties
6 Account—State Appropriation: For transfer to the
7 Motor Vehicle Account—State
8 \$2,000,000
9 (b) The transfer in this subsection is to repay moneys loaned to
10 the state route number 520 civil penalties account in the 2019-2021
11 fiscal biennium.
12 ((~~11~~)) (10) State Route Number 520 Civil Penalties
13 Account—State Appropriation: For transfer to the
14 State Route Number 520 Corridor Account—State. \$1,532,000
15 ((~~12~~)) (11) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Connecting
17 Washington Account—State. \$35,000,000
18 ((~~13~~)(a) ~~Capital Vessel Replacement Account—State~~
19 ~~Appropriation: For transfer to the Transportation~~
20 ~~Partnership Account—State. \$1,542,000~~
21 ~~(b) The amount transferred in this subsection represents~~
22 ~~repayment of debt service incurred for the construction of the Hybrid~~
23 ~~Electric Olympic Class (144-auto) Vessel #5 project (L2000329).~~
24 ~~(14))~~ (12) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Complete Streets
26 Grant Program Account—State. \$14,670,000
27 ((~~15~~)) (13) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Connecting
29 Washington Account—State. \$200,000,000
30 ((~~16~~)) (14) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Freight Mobility
32 Multimodal Account—State. \$4,011,000
33 ((~~17~~)) (15) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Ignition Interlock
35 Device Revolving Account—State. \$600,000
36 ((~~18~~)) (16) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Pilotage
38 Account—State. \$2,000,000
39 ((~~19~~)) (17) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Puget Sound
 2 Capital Construction Account—State. (~~(\$816,700,000)~~)
 3 \$30,000,000
 4 (~~(+20)~~) (18) Multimodal Transportation Account—State
 5 Appropriation: For transfer to the Regional Mobility
 6 Grant Program Account—State. \$27,679,000
 7 (~~(+21)~~) (19) Multimodal Transportation Account—State
 8 Appropriation: For transfer to the Rural Mobility
 9 Grant Program Account—State. \$15,223,000
 10 (~~(+22)~~) (20) (a) Alaskan Way Viaduct Replacement Project
 11 Account—State Appropriation: For transfer to the
 12 Transportation Partnership Account—State. \$22,884,000
 13 (b) The amount transferred in this subsection represents
 14 repayment of debt service incurred for the construction of the SR 99/
 15 Alaskan Way Viaduct Replacement project (809936Z).
 16 (~~(+23)~~) (21) Tacoma Narrows Toll Bridge Account—State
 17 Appropriation: For transfer to the Motor Vehicle
 18 Account—State. \$950,000
 19 (~~(+24)~~) (22) Puget Sound Ferry Operations Account—State
 20 Appropriation: For transfer to the Puget Sound
 21 Capital Construction Account—State. \$60,000,000
 22 (~~(+25)~~) (23) (a) General Fund Account—State
 23 Appropriation: For transfer to the State Patrol
 24 Highway Account—State. \$625,000
 25 (b) The state treasurer shall transfer the funds only after
 26 receiving notification from the Washington state patrol under section
 27 207(2), chapter 333, Laws of 2021.
 28 (~~(+26)~~) (24) Motor Vehicle Account—State
 29 Appropriation: For transfer to the Puget Sound
 30 Capital Construction Account—State. \$30,000,000
 31 (~~(+27)~~) (25) Multimodal Transportation Account—State
 32 Appropriation: For transfer to the I-405 and SR 167
 33 Express Toll Lanes Account—State. \$268,433,000
 34 (~~(+28)~~) (26) Multimodal Transportation Account—State
 35 Appropriation: For transfer to the Move Ahead WA
 36 Account—State. (~~(\$874,081,000)~~)
 37 \$1,660,781,000
 38 (~~(+29)~~) (27) Multimodal Transportation Account—State
 39 Appropriation: For transfer to the State Route

1	Number 520 Corridor Account—State.	\$70,786,000
2	((30) Motor Vehicle Account—State	
3	Appropriation: For transfer to the Connecting Washington	
4	Account—State.	\$80,000,000
5	(31)) (28) Move Ahead WA Account—State	
6	Appropriation: For transfer to the Connecting Washington	
7	Account—State.	\$600,000,000
8	((32)) (29) Transportation Improvement Account—State	
9	Appropriation: For transfer to the Transportation	
10	Improvement Board Bond Retirement Account.	\$6,451,550
11	(30) (a) Carbon Emissions Reduction Account—State	
12	Appropriation: For transfer to the Puget Sound	
13	Ferry Operations Account—State.	\$600,000
14	(b) The amount transferred in this subsection represents an	
15	estimate of fare replacement revenue to account for the	
16	implementation of 18 and under fare-free policies.	
17	(31) Motor Vehicle Account—State Appropriation: For	
18	transfer to the Move Ahead WA Account—State.	\$3,607,000
19	(32) Electric Vehicle Account—State Appropriation:	
20	For transfer to the Move Ahead WA Flexible	
21	Account—State.	\$16,064,000
22	(33) Carbon Emissions Reduction Account—State	
23	Appropriation: For transfer to the Climate	
24	Active Transportation Account—State.	\$23,182,000
25	(34) Carbon Emissions Reduction Account—State	
26	Appropriation: For transfer to the Climate	
27	Transit Programs Account—State.	\$53,436,000
28	(35) Multimodal Transportation Account—State	
29	Appropriation: For transfer to the State Route Number	
30	520 Civil Penalties Account—State	\$1,000,000

31 **Sec. 1207.** 2021 c 333 s 407 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
34 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
35 **STATUTORILY PRESCRIBED REVENUE**

36	Toll Facility Bond Retirement Account—Federal	
37	Appropriation	((\$199,129,000))

1		<u>\$199,040,000</u>
2	Toll Facility Bond Retirement Account—State	
3	Appropriation	\$25,372,000
4	TOTAL APPROPRIATION.	((\$224,501,000))
5		<u>\$224,412,000</u>

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. **Sec. 1301.** The following acts or parts of acts are each repealed:

- (1) 2022 c 187 s 1 (uncodified);
- (2) 2022 c 187 s 101 (uncodified);
- (3) 2022 c 187 s 102 (uncodified);
- (4) 2022 c 187 s 103 (uncodified);
- (5) 2022 c 187 s 104 (uncodified);
- (6) 2022 c 187 s 201 (uncodified);
- (7) 2022 c 187 s 202 (uncodified);
- (8) 2022 c 187 s 203 (uncodified);
- (9) 2022 c 187 s 204 (uncodified);
- (10) 2022 c 187 s 205 (uncodified);
- (11) 2022 c 187 s 206 (uncodified);
- (12) 2022 c 187 s 207 (uncodified);
- (13) 2022 c 187 s 208 (uncodified);
- (14) 2022 c 187 s 209 (uncodified);
- (15) 2022 c 187 s 210 (uncodified);
- (16) 2022 c 187 s 211 (uncodified);
- (17) 2022 c 187 s 301 (uncodified);
- (18) 2022 c 187 s 302 (uncodified);
- (19) 2022 c 187 s 303 (uncodified);
- (20) 2022 c 187 s 304 (uncodified);
- (21) 2022 c 187 s 305 (uncodified);
- (22) 2022 c 187 s 306 (uncodified);
- (23) 2022 c 187 s 307 (uncodified);
- (24) 2022 c 187 s 308 (uncodified);
- (25) 2022 c 187 s 401 (uncodified);
- (26) 2022 c 187 s 501;
- (27) 2022 c 187 s 502 (uncodified); and
- (28) 2022 c 187 s 503 (uncodified).

NEW SECTION. **Sec. 1302.** A new section is added to 2022 c 186 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act must be expended for the programs and in the amounts specified in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act. However, after May 1, 2023, unless specifically prohibited,

1 the department may transfer state appropriations for the 2021-2023
2 fiscal biennium among operating programs after approval by the
3 director of the office of financial management. However, the
4 department shall not transfer state moneys that are provided solely
5 for a specific purpose. The department shall not transfer funds, and
6 the director of the office of financial management shall not approve
7 the transfer, unless the transfer is consistent with the objective of
8 conserving, to the maximum extent possible, the expenditure of state
9 funds and not federal funds. The director of the office of financial
10 management shall notify the appropriate transportation committees of
11 the legislature prior to approving any allotment modifications or
12 transfers under this section.

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 1401.** 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. 1402.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

(End of part)

(End of Bill)

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