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**SUBSTITUTE HOUSE BILL 2036**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on Transportation (originally sponsored by Representatives R. Fisher, Locke and Johanson)

Read first time 03/08/93.

1 AN ACT Relating to multimodal transportation funding; amending RCW  
2 82.44.180 and 81.104.090; adding a new chapter to Title 47 RCW; and  
3 declaring an emergency.

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

5 **Sec. 1.** RCW 82.44.180 and 1991 c 199 s 224 are each amended to  
6 read as follows:

7 (1) The transportation fund is created in the state treasury.  
8 Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the  
9 surcharge under RCW 82.50.510 shall be deposited into the fund as  
10 provided in those sections.

11 Moneys in the fund may be spent only after appropriation.  
12 Expenditures from the fund may be used only for transportation  
13 purposes.

14 (2) There is hereby created the central Puget Sound public  
15 transportation account within the transportation fund. Moneys  
16 deposited into the account under RCW 82.44.150(2)(b) shall be  
17 ~~((expended))~~ appropriated to the department of transportation and  
18 allocated by the multimodal transportation programs and projects  
19 selection committee created in section 4 of this act to public

1 transportation projects within the (~~three county~~) region from which  
2 the funds are derived, solely for:

3 (a) Planning;

4 (b) Development of capital projects;

5 (c) Development of high capacity transportation systems as defined  
6 in RCW (~~81.104.010~~) 81.104.015;

7 (~~(b)~~) (d) Development of high occupancy vehicle lanes and related  
8 facilities as defined in RCW 81.100.020; and

9 (~~(e)~~) (e) Public transportation system contributions required to  
10 fund projects under federal programs and those approved by the  
11 transportation improvement board.

12 (3) There is hereby created the public transportation systems  
13 account within the transportation fund. Moneys deposited into the  
14 account under RCW 82.44.150(2)(c) shall be (~~available to~~)  
15 appropriated to the department of transportation and allocated by the  
16 multimodal transportation programs and projects selection committee to  
17 public transportation projects submitted by the public transportation  
18 systems from which the funds are derived, solely for:

19 (a) Planning;

20 (b) Development of capital projects;

21 (c) Development of high capacity transportation systems as defined  
22 in RCW (~~81.104.010~~) 81.104.015;

23 (~~(b)~~) (d) Development of high occupancy vehicle lanes and related  
24 facilities as defined in RCW 81.100.020;

25 (~~(e)~~) (e) Other public transportation system-related roadway  
26 projects on state highways, county roads, or city streets; and

27 (~~(d)~~) (f) Public transportation system contributions required to  
28 fund projects under federal programs and those approved by the  
29 transportation improvement board.

30 (4) There is hereby created the multimodal account within the  
31 transportation fund. Moneys in the account may be used for any  
32 transportation purpose consistent with sections 6 and 7 of this act.  
33 The multimodal account shall be funded by revenue transfers from the  
34 transportation fund in amounts specified by legislative appropriation.  
35 Appropriations will be made from the multimodal account to the  
36 department of transportation for the purposes specified in chapter  
37 47.-- RCW (sections 3 through 8 of this act).

1       **Sec. 2.** RCW 81.104.090 and 1991 c 318 s 8 are each amended to read  
2 as follows:

3       The department of transportation shall be responsible for  
4 distributing amounts appropriated from the high capacity transportation  
5 account ~~((and)), which shall ((prioritize funding requests)) be~~  
6 allocated by the multimodal transportation programs and projects  
7 selection committee based on criteria in subsection ~~((+3))~~ (2) of this  
8 section.

9       (1) ~~((The department shall establish an advisory council of policy~~  
10 ~~and technical experts pursuant to RCW 47.01.091 to assist in the review~~  
11 ~~of requests for high capacity transportation account funds. The~~  
12 ~~council shall be comprised of one representative from each~~  
13 ~~congressional district, a designee of the governor, the executive~~  
14 ~~director or a designee of the transportation improvement board, the~~  
15 ~~director of the Washington state transportation center, and the chair~~  
16 ~~or designee of the legislative transportation committee.~~

17       ~~(2))~~ State high capacity transportation account funds may provide  
18 up to eighty percent matching assistance for high capacity  
19 transportation planning efforts.

20       ~~((+3))~~ (2) Authorizations for state funding for high capacity  
21 transportation planning projects shall be subject to the following  
22 criteria:

23       (a) Conformance with the designated regional transportation  
24 planning organization's regional transportation plan;

25       (b) Local matching funds;

26       (c) Demonstration of projected improvement in regional mobility;

27       (d) Conformance with planning requirements prescribed in RCW  
28 81.104.100, and if five hundred thousand dollars or more in state  
29 funding is requested, conformance with the requirements of RCW  
30 81.104.110; and

31       (e) Establishment, through interlocal agreements, of a joint  
32 regional policy committee as defined in RCW 81.104.030 or 81.104.040.

33       ~~((+4))~~ (3) The department of transportation shall provide general  
34 review and monitoring of the system and project planning process  
35 prescribed in RCW 81.104.100.

36       NEW SECTION.   **Sec. 3.** There is significant state interest in  
37 assuring that viable multimodal transportation programs are available  
38 throughout the state. The legislature recognizes the need to create a

1 mechanism to fund multimodal transportation programs and projects. The  
2 legislature further recognizes the complexities associated with current  
3 funding mechanisms and seeks to create a process that would allow for  
4 all transportation programs and projects to compete for limited  
5 resources.

6 NEW SECTION. **Sec. 4.** (1) There is hereby created a multimodal  
7 transportation programs and projects selection committee composed of  
8 twenty-one members: (a) One member appointed by the governor; (b) the  
9 assistant secretary responsible for planning from the department of  
10 transportation, the assistant secretary responsible for program  
11 development from the department of transportation, the assistant  
12 secretary responsible for marine transportation from the department of  
13 transportation, and the assistant secretary responsible for local  
14 programs from the department of transportation; (c) one representative  
15 from a transit system in an urbanized area with a population over two  
16 hundred thousand and one representative from a rural or small urban  
17 transit system in an area with a population less than two hundred  
18 thousand; (d) one member representing the ports; (e) one member  
19 representing nonmotorized transportation; (f) one mayor or member of a  
20 city legislative authority representing cities with populations over  
21 twenty thousand and currently a member of a metropolitan planning  
22 organization board; (g) one mayor or member of a city legislative  
23 authority representing cities and currently a member of a transit  
24 board; (h) one mayor or member of a city legislative authority  
25 representing cities with populations under twenty thousand; (i) chief  
26 city engineer, public works director, or other city employee with  
27 responsibility for public works activity; (j) one city planner; (k) one  
28 county executive or member of a county legislative authority  
29 representing counties with populations over one hundred twenty-five  
30 thousand and currently a member of a metropolitan planning organization  
31 board; (l) one county executive or member of a county legislative  
32 authority representing counties and currently a member of a transit  
33 board; (m) one county executive or member of a county legislative  
34 authority representing counties with populations under one hundred  
35 twenty-five thousand; (n) one county public works director, or county  
36 engineer or executive director for the county road administration  
37 board; (o) one county planner; (p) the executive director of the

1 transportation improvement board; and (q) one member representing  
2 special needs transportation.

3 (2) All appointments of counties, cities, transit systems, and  
4 ports shall be made by the governor from a recommendation of an  
5 individual for each position submitted from their respective state-wide  
6 associations: The Washington association of counties, the association  
7 of Washington cities, the Washington state transit association, the  
8 community transportation association of the northwest, and the  
9 Washington public ports association. The nonmotorized transportation  
10 member shall be appointed by the committee, using a public selection  
11 process. To the extent possible, the committee shall be broadly  
12 diverse in its representation, particularly with regard to geographic  
13 balance.

14 (3) Initial appointments shall be made no later than July 1, 1993,  
15 except for the nonmotorized representative who shall be appointed by  
16 September 1, 1993. The terms of appointment shall be for four years  
17 except that for initial appointments, the governor shall adjust term  
18 lengths to ensure that members' terms are staggered. In case of a  
19 vacancy the appointment shall be made by the appointing authority. A  
20 vacancy shall be deemed to have occurred on the committee when any  
21 member elected to public office leaves that office or is removed  
22 therefrom for any reason or when any member employed by a political  
23 subdivision terminates such employment for whatever reason.

24 (4) The committee shall elect a chair from among its members for a  
25 two-year term.

26 NEW SECTION. **Sec. 5.** (1)(a) The multimodal transportation  
27 programs and projects selection committee is authorized and responsible  
28 for the final selection of programs and projects funded from the  
29 central Puget Sound public transportation account; public  
30 transportation systems account; high capacity transportation account;  
31 intermodal surface transportation and efficiency act of 1991, surface  
32 transportation program, state-wide competitive; and the multimodal  
33 account.

34 (b) The committee may establish subcommittees of the full committee  
35 as well as technical advisory committees to carry out the mandates of  
36 this chapter.

37 (2)(a) Expenses of the committee, including administrative expenses  
38 for managing the program, shall be paid from the transportation fund.

1 (b) Members of the committee shall receive no compensation for  
2 their services on the committee, but shall be reimbursed for travel  
3 expenses incurred while attending meetings of the committee or while  
4 engaged on other business of the committee when authorized by the  
5 committee in accordance with RCW 43.03.050 and 43.03.060.

6 NEW SECTION. **Sec. 6.** (1) The multimodal transportation programs  
7 and projects selection committee shall select programs and projects  
8 based on a competitive process consistent with the mandates governing  
9 each account or source of funds. The competition shall be consistent  
10 with the following criteria:

11 (a) Local, regional, and state transportation plans;

12 (b) Local transit development plans; and

13 (c) Local comprehensive land use plans.

14 (2) The following criteria shall be considered by the committee in  
15 selecting programs and projects:

16 (a) Objectives of the growth management act, the high capacity  
17 transportation act, the commute trip reduction act, transportation  
18 demand management programs, federal and state air quality requirements,  
19 and federal Americans with disabilities act and related state  
20 accessibility requirements; and

21 (b) Energy efficiency issues, freight and goods movement as related  
22 to economic development, regional significance, rural isolation, the  
23 leveraging of other funds including funds administered by this  
24 committee, and safety and security issues.

25 (3) The committee shall determine the appropriate level of local  
26 match required for each program and project based on the source of  
27 funds.

28 NEW SECTION. **Sec. 7.** The department of transportation shall be  
29 responsible for providing staff support to the multimodal  
30 transportation programs and projects selection committee which shall be  
31 paid from the transportation fund and include, but not be limited to:  
32 (1) Assisting the committee in determining short and long-term funding  
33 needs; (2) assisting the committee in developing a selection process  
34 that adheres to criteria set in statute and other criteria set by the  
35 committee; (3) administering grants and ensuring that contracts are  
36 executed in a timely manner; (4) distribution of funds and status of  
37 accounts; (5) staff recommendations on policy and programs as

1 appropriate; and (6) submitting to the legislative transportation  
2 committee an initial report no later than October 15, 1993, that  
3 includes but is not limited to: A committee membership roster,  
4 schedule of committee activities for the year, an explicit list of  
5 criteria for program and project selection created by the committee,  
6 program and project grants including projected grant duration, and the  
7 proposed process and procedures to be incorporated into the Washington  
8 state administrative code. Every year thereafter an annual report  
9 shall be submitted to the legislative transportation committee no later  
10 than January 1 that summarizes the activities of the committee.

11 NEW SECTION. **Sec. 8.** The multimodal transportation programs and  
12 projects selection committee shall convene no later than August 1,  
13 1993, and shall review the revenues available to the accounts under the  
14 committee's jurisdiction and adopt rules and procedures governing the  
15 program and project selection process that are consistent with state  
16 and federal requirements. The committee shall adopt procedures to be  
17 incorporated into the Washington administrative code.

18 Applicants shall submit applications for programs and projects to  
19 the committee for consideration no later than September 1, 1993.

20 The committee shall review and select applications, and award  
21 funds, based upon criteria common among fund sources or unique to each  
22 fund source, no later than November 1, 1993.

23 The committee shall be responsible for establishing subsequent  
24 annual schedules to ensure compliance with the responsibilities  
25 outlined in this chapter and with consideration to other program and  
26 project selection timelines.

27 NEW SECTION. **Sec. 9.** Sections 3 through 8 of this act shall  
28 constitute a new chapter in Title 47 RCW.

29 NEW SECTION. **Sec. 10.** This act is necessary for the immediate  
30 preservation of the public peace, health, or safety, or support of the  
31 state government and its existing public institutions, and shall take  
32 effect immediately.

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