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HOUSE BILL 2036

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State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives R. Fisher, Locke and Johanson

Read first time 02/24/93. Referred to Committee on Transportation.

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 the criteria set forth in  
33 sections 6 and 7 of this act. The multimodal account shall be funded  
34 by that portion of the transportation fund appropriated by the  
35 legislature to the account and to the department of transportation for  
36 the purposes specified in chapter 47.-- RCW (sections 3 through 8 of  
37 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 shall prioritize funding requests based on criteria in  
6 subsection ~~((3))~~ (2) of this section.

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

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

18       ~~((3))~~ (2) Authorizations for state funding for high capacity  
19 transportation planning projects shall be subject to the following  
20 criteria:

21       (a) Conformance with the designated regional transportation  
22 planning organization's regional transportation plan;

23       (b) Local matching funds;

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

25       (d) Conformance with planning requirements prescribed in RCW  
26 81.104.100, and if five hundred thousand dollars or more in state  
27 funding is requested, conformance with the requirements of RCW  
28 81.104.110; and

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

31       ~~((4))~~ (3) The department of transportation shall provide general  
32 review and monitoring of the system and project planning process  
33 prescribed in RCW 81.104.100.

34       NEW SECTION.   **Sec. 3.** There is significant state interest in  
35 assuring that viable multimodal transportation programs are available  
36 throughout the state. The legislature recognizes the need to create a  
37 mechanism to fund multimodal transportation programs and projects. The  
38 legislature further recognizes the complexities associated with current

1 funding mechanisms and seeks to create a process that would allow for  
2 all transportation programs and projects to compete for limited  
3 resources.

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

32 (2) All appointments of counties, cities, transit systems, and  
33 ports shall be made by the governor from a recommendation of an  
34 individual for each position submitted from their respective state-wide  
35 associations: The Washington association of counties, the association  
36 of Washington cities, the Washington state transit association, and the  
37 Washington public ports association. The nonmotorized transportation  
38 member shall be appointed by the committee, using a public selection

1 process. To the extent possible, the committee shall be broadly  
2 diverse in its representation.

3 (3) Initial appointments shall be made no later than July 1, 1993,  
4 except for the nonmotorized representative who shall be appointed by  
5 September 1, 1993. The terms of appointment shall be for four years  
6 except that for initial appointments, the governor shall adjust term  
7 lengths to ensure that members' terms are staggered. In case of a  
8 vacancy the appointment shall be made by the appointing authority. A  
9 vacancy shall be deemed to have occurred on the committee when any  
10 member elected to public office completes that term of office or is  
11 removed therefrom for any reason or when any member employed by a  
12 political subdivision terminates such employment for whatever reason.

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

15 NEW SECTION. **Sec. 5.** (1)(a) The multimodal transportation  
16 programs and projects selection committee is authorized and responsible  
17 for the final selection of programs and projects funded from the  
18 central Puget Sound public transportation account; public  
19 transportation systems account; high capacity transportation account;  
20 intermodal surface transportation and efficiency act of 1991, surface  
21 transportation program, state-wide competitive; and the multimodal  
22 account.

23 (b) The committee may establish subcommittees of the full committee  
24 as well as technical advisory committees to carry out the mandates of  
25 this chapter.

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

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

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

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

2 (b) Local transit development plans; and

3 (c) Local comprehensive land use plans.

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

6 (a) Objectives of the growth management act, the commute trip  
7 reduction act, transportation demand management programs, federal and  
8 state air quality requirements, and federal Americans with disabilities  
9 act and related state accessibility requirements; and

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

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

17 NEW SECTION. **Sec. 7.** The department of transportation shall be  
18 responsible for providing staff support to the multimodal  
19 transportation programs and projects selection committee which shall be  
20 paid from the transportation fund and include, but not be limited to:  
21 (1) Assisting the committee in determining short and long-term funding  
22 needs; (2) assisting the committee in developing a selection process  
23 that adheres to criteria set in statute and other criteria set by the  
24 committee; (3) administering grants and ensuring that contracts are  
25 executed in a timely manner; (4) distribution of funds and status of  
26 accounts; (5) staff recommendations on policy and programs as  
27 appropriate; and (6) preparing, annually, a report to the legislative  
28 transportation committee summarizing the activities of the committee.  
29 The initial report shall be submitted no later than January 1, 1995,  
30 and each year thereafter.

31 NEW SECTION. **Sec. 8.** The multimodal transportation programs and  
32 projects selection committee shall convene no later than August 1,  
33 1993, and shall review the revenues available to the accounts under the  
34 committee's jurisdiction and adopt rules and procedures governing the  
35 program and project selection process that are consistent with state  
36 and federal requirements. The committee shall adopt procedures to be  
37 incorporated into the Washington administrative code.

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

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

6 The committee shall be responsible for establishing subsequent  
7 annual schedules to ensure compliance with the responsibilities  
8 outlined in this chapter and with consideration to other program and  
9 project selection timelines.

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

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

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