

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5963

Chapter 490, Laws of 1993

53rd Legislature
1993 Regular Session

HIGHWAY DEFICIENCIES--PRIORITY PROGRAMMING OF MULTIMODAL SOLUTIONS

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 20, 1993
YEAS 47 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 17, 1993
YEAS 96 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 17, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5963** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 17, 1993 - 2:26 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5963

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Vognild, Loveland, Newhouse and Nelson; by request of Department of Transportation)

Read first time 04/01/93.

1 AN ACT Relating to priority programming of multimodal solutions to
2 address state highway deficiencies; amending RCW 47.05.010, 47.05.021,
3 47.05.030, 47.05.035, and 47.05.051; adding a new section to chapter
4 47.05 RCW; and repealing RCW 47.05.040, 47.05.055, 47.05.070, and
5 47.05.085.

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

7 **Sec. 1.** RCW 47.05.010 and 1969 ex.s. c 39 s 1 are each amended to
8 read as follows:

9 The legislature finds that ~~((anticipated revenues available for
10 state highways for the foreseeable future will fall substantially short
11 of the amount required to satisfy all of the state highway needs. It
12 is the purpose of this chapter to establish a policy of priority
13 programming for highway development having as its basis the rational
14 selection of projects according to factual need, systematically
15 scheduled to carry out defined objectives within limits of money and
16 manpower, and fixed in advance with reasonable flexibility to meet
17 changed conditions))~~ solutions to state highway deficiencies have
18 become increasingly complex and diverse and that anticipated
19 transportation revenues will fall substantially short of the amount

1 required to satisfy all transportation needs. Difficult investment
2 trade-offs will be required.

3 It is the intent of the legislature that investment of state
4 transportation funds to address deficiencies on the state highway
5 system be based on a policy of priority programming having as its basis
6 the rational selection of projects and services according to factual
7 need and an evaluation of life cycle costs and benefits and which are
8 systematically scheduled to carry out defined objectives within
9 available revenue.

10 The priority programming system shall ensure preservation of the
11 existing state highway system, provide mobility for people and goods,
12 support the state's economy, and promote environmental protection and
13 energy conservation.

14 The priority programming system shall implement the state-owned
15 highway component of the state-wide multimodal transportation plan,
16 consistent with local and regional transportation plans, by targeting
17 state transportation investment to appropriate multimodal solutions
18 which address identified state highway system deficiencies.

19 The priority programming system for improvements shall incorporate
20 a broad range of solutions that are identified in the state-wide
21 multimodal transportation plan as appropriate to address state highway
22 system deficiencies including but not limited to highway expansion,
23 efficiency improvements, nonmotorized transportation facilities, high
24 occupancy vehicle facilities, transit facilities and services, rail
25 facilities and services, and transportation demand management programs.

26 **Sec. 2.** RCW 47.05.021 and 1987 c 505 s 50 are each amended to read
27 as follows:

28 (1) The transportation commission is hereby directed to conduct
29 periodic analyses of the entire state highway system, report thereon to
30 the chairs of the transportation committees of the senate and house of
31 representatives, including one copy to the staff of each of the
32 committees, biennially and based thereon, to subdivide, classify, and
33 subclassify according to their function and importance all designated
34 state highways and those added from time to time and periodically
35 review and revise the classifications into the following three
36 functional classes:

37 (a) The "principal arterial system" shall consist of a connected
38 network of rural arterial routes with appropriate extensions into and

1 through urban areas, including all routes designated as part of the
2 interstate system, which serve corridor movements having travel
3 characteristics indicative of substantial state-wide and interstate
4 travel;

5 (b) The "minor arterial system" shall, in conjunction with the
6 principal arterial system, form a rural network of arterial routes
7 linking cities and other activity centers which generate long distance
8 travel, and, with appropriate extensions into and through urban areas,
9 form an integrated network providing interstate and interregional
10 service; and

11 (c) The "collector system" shall consist of routes which primarily
12 serve the more important intercounty, intracounty, and intraurban
13 travel corridors, collect traffic from the system of local access roads
14 and convey it to the arterial system, and on which, regardless of
15 traffic volume, the predominant travel distances are shorter than on
16 arterial routes.

17 ~~(2) ((Those state highways which perform no arterial or collector~~
18 ~~function, which serve only local access functions, and which lack~~
19 ~~essential state highway characteristics shall be designated "local~~
20 ~~access" highways.~~

21 ~~(3))~~ In making the functional classification the transportation
22 commission shall adopt and give consideration to criteria consistent
23 with this section and federal regulations relating to the functional
24 classification of highways, including but not limited to the following:

25 (a) Urban population centers within and without the state
26 stratified and ranked according to size;

27 (b) Important traffic generating economic activities, including but
28 not limited to recreation, agriculture, government, business, and
29 industry;

30 (c) Feasibility of the route, including availability of alternate
31 routes within and without the state;

32 (d) Directness of travel and distance between points of economic
33 importance;

34 (e) Length of trips;

35 (f) Character and volume of traffic;

36 (g) Preferential consideration for multiple service which shall
37 include public transportation;

38 (h) Reasonable spacing depending upon population density; and

39 (i) System continuity.

1 (3) The transportation commission shall designate a system of state
2 highways that have state-wide significance. This state-wide system
3 shall include interstate highways and other state-wide principal
4 arterials that are needed to connect major communities across the state
5 and support the state's economy.

6 (4) The transportation commission shall designate a freight and
7 goods transportation system. This state-wide system shall include
8 state highways, county roads, and city streets. The commission, in
9 cooperation with cities and counties, shall review and make
10 recommendations to the legislature regarding policies governing weight
11 restrictions and road closures which affect the transportation of
12 freight and goods. The first report is due by December 15, 1993, and
13 biennially thereafter.

14 **Sec. 3.** RCW 47.05.030 and 1987 c 179 s 2 are each amended to read
15 as follows:

16 The transportation commission shall adopt ~~((and periodically~~
17 ~~revise, after consultation with the legislative transportation~~
18 ~~committee,))~~ a comprehensive six-year ~~((program and financial plan for~~
19 ~~highway improvements specifying program objectives for each of the~~
20 ~~highway categories, "A," "B," "C," and "H," defined in this section,~~
21 ~~and within the framework of estimated funds for such period. The~~
22 ~~program and plan shall be based upon the improvement needs for state~~
23 ~~highways as determined by the department from time to time.~~

24 With such reasonable deviations as may be required to effectively
25 utilize the estimated funds and to adjust to unanticipated delays in
26 programmed projects, the commission shall allocate the estimated funds
27 among the following described categories of highway improvements, so as
28 to carry out the commission's program objectives:

29 ~~(1) Category A shall consist of those improvements necessary to~~
30 ~~sustain the structural, safety, and operational integrity of the~~
31 ~~existing state highway system (other than improvements to the~~
32 ~~interstate system to be funded with federal aid at the regular~~
33 ~~interstate rate under federal law and regulations, and improvements~~
34 ~~designated in subsections (2) through (4) of this section).~~

35 ~~(2) Category B shall consist of improvements for the continued~~
36 ~~development of the interstate system to be funded with federal aid at~~
37 ~~the regular interstate rate under federal law and regulations.~~

1 ~~(3) Category C shall consist of the development of major~~
2 ~~transportation improvements (other than improvements to the interstate~~
3 ~~system to be funded with federal aid at the regular interstate rate~~
4 ~~under federal law and regulations) including designated but~~
5 ~~unconstructed highways which are vital to the state-wide transportation~~
6 ~~network.~~

7 ~~(4) Category H shall consist of those improvements necessary to~~
8 ~~sustain the structural and operational integrity of existing bridges on~~
9 ~~the highway system (other than bridges on the interstate system or~~
10 ~~bridge work included in another category because of its association~~
11 ~~with a highway project in such category).~~

12 ~~Projects which are financed one hundred percent by federal funds or~~
13 ~~other agency funds shall, if the commission determines that such work~~
14 ~~will improve the state highway system, be managed separately from the~~
15 ~~above categories)) investment program specifying program objectives~~
16 ~~and performance measures for the preservation and improvement programs~~
17 ~~defined in this section. In the specification of investment program~~
18 ~~objectives and performance measures, the transportation commission, in~~
19 ~~consultation with the Washington state department of transportation,~~
20 ~~shall define and adopt standards for effective programming and~~
21 ~~prioritization practices including a needs analysis process. The needs~~
22 ~~analysis process shall ensure the identification of problems and~~
23 ~~deficiencies, the evaluation of alternative solutions and trade-offs,~~
24 ~~and estimations of the costs and benefits of prospective projects. The~~
25 ~~investment program shall be revised biennially, effective on July 1st~~
26 ~~of odd-numbered years. The investment program shall be based upon the~~
27 ~~needs identified in the state-owned highway component of the state-wide~~
28 ~~multimodal transportation plan as defined in RCW 47.01.071(3).~~

29 ~~(1) The preservation program shall consist of those investments~~
30 ~~necessary to preserve the existing state highway system and to restore~~
31 ~~existing safety features, giving consideration to lowest life cycle~~
32 ~~costing. The comprehensive six-year investment program for~~
33 ~~preservation shall identify projects for two years and an investment~~
34 ~~plan for the remaining four years.~~

35 ~~(2) The improvement program shall consist of investments needed to~~
36 ~~address identified deficiencies on the state highway system to improve~~
37 ~~mobility, safety, support for the economy, and protection of the~~
38 ~~environment. The six-year investment program for improvements shall~~
39 ~~identify projects for two years and major deficiencies proposed to be~~

1 addressed in the six-year period giving consideration to relative
2 benefits and life cycle costing.

3 The transportation commission shall approve and present the
4 comprehensive six-year investment program to the legislature in support
5 of the biennial budget request under RCW 44.40.070 and 44.40.080.

6 **Sec. 4.** RCW 47.05.035 and 1987 c 179 s 3 are each amended to read
7 as follows:

8 ~~((1) The transportation commission, in preparing the comprehensive~~
9 ~~six-year program and financial plan for highway improvements, shall~~
10 ~~allocate the estimated funds among categories A, B, C, and H)) In~~
11 developing program objectives and performance measures, the
12 transportation commission shall evaluate investment trade-offs between
13 the preservation and improvement programs. In making these investment
14 trade-offs, the commission shall evaluate, using cost-benefit
15 techniques, roadway and bridge maintenance activities as compared to
16 roadway and bridge preservation program activities and adjust those
17 programs accordingly.

18 The commission shall allocate the estimated revenue between
19 preservation and improvement programs giving primary consideration to
20 the following factors:

21 ~~((a))~~ (1) The relative needs in each of the ((categories of
22 improvements)) programs and the system performance levels that can be
23 achieved by meeting these needs;

24 ~~((b))~~ (2) The need to provide adequate funding for ((category A
25 improvements)) preservation to protect the state's investment in its
26 existing highway system;

27 ~~((c))~~ (3) The continuity of future ((highway)) transportation
28 development ((of all categories of improvements)) with those
29 improvements previously programmed; and

30 ~~((d))~~ (4) The availability of ((special categories of federal))
31 dedicated funds for a specific type of work.

32 ~~((2) The commission in preparing the comprehensive six-year~~
33 ~~program and financial plan shall establish program objectives for each~~
34 ~~of the highway categories, A, B, C, and H.))~~

35 **Sec. 5.** RCW 47.05.051 and 1987 c 179 s 5 are each amended to read
36 as follows:

1 ~~((1))~~ The comprehensive six-year investment program ~~((and~~
2 ~~financial plan for each category of highway improvements))~~ shall be
3 based upon ~~((a))~~ the needs identified in the state-owned highway
4 component of the state-wide multimodal transportation plan as defined
5 in RCW 47.01.071(3) and priority selection ~~((system within the program~~
6 ~~objectives established for each category. The commission using the~~
7 ~~criteria set forth in RCW 47.05.030, as now or hereafter amended, shall~~
8 ~~determine the category of each highway improvement.~~

9 ~~(2) Selection of specific category A and H projects for the six-~~
10 ~~year))~~ systems that incorporate the following criteria:

11 ~~(1) Priority programming for the preservation program shall take~~
12 ~~into account the~~ ~~((criteria set forth in subsection (4) of this~~
13 ~~section.~~

14 ~~(3) Selection of specific category B projects for the six year~~
15 ~~program shall be based on commission established priorities for~~
16 ~~completion and preservation of the interstate system.~~

17 ~~(4) In selecting each category A and H project as provided in~~
18 ~~subsection (2) of this section, the following criteria~~ ~~()~~ following,
19 ~~not necessarily in order of importance~~ ~~(() shall be taken into~~
20 ~~consideration:~~

21 ~~(a) Its~~ ~~)~~ :

22 ~~(a) Extending the service life of the existing highway system;~~

23 ~~(b) Ensuring the structural ability to carry loads imposed upon~~
24 ~~((it))~~ highways and bridges;

25 ~~((b) Its capacity to move traffic at reasonable speeds without~~
26 ~~undue congestion;~~

27 ~~(c) Its adequacy of alignment and related geometrics;~~

28 ~~(d) Its accident experience; and~~

29 ~~(e) Its fatal accident experience.~~

30 ~~(5))~~ and

31 ~~(c) Minimizing life cycle costs. The transportation commission in~~
32 ~~carrying out the provisions of this section may delegate to the~~
33 ~~department of transportation the authority to select~~ ~~((category A, B,~~
34 ~~and H improvements))~~ preservation projects to be included in the six-
35 year program.

36 ~~((6) Selection of specific category C projects for the six year~~
37 ~~program shall be based on the priority of each highway section proposed~~
38 ~~to be improved in relation to other highway sections within the state~~
39 ~~with full regard to the structural, geometric, safety, and operational~~

1 ~~adequacy of the existing highway section taking into account the~~
2 ~~following:~~

3 ~~(a)) (2) Priority programming for the improvement program shall~~
4 ~~take into account the following:~~

5 ~~(a) Support for the state's economy, including job creation and job~~
6 ~~preservation;~~

7 ~~(b) The cost-effective movement of people and goods;~~

8 ~~(c) Accident and accident risk reduction;~~

9 ~~(d) Protection of the state's natural environment;~~

10 ~~(e) Continuity ((of)) and systematic development of the highway~~
11 ~~transportation network;~~

12 ~~((b) Coordination with the development of other modes of~~
13 ~~transportation;~~

14 ~~(c) The stated long range goals of the local area and its~~
15 ~~transportation plan;~~

16 ~~(d) Its potential social, economic, and environmental impacts)) (f)~~
17 ~~Consistency with local comprehensive plans developed under chapter~~
18 ~~36.70A RCW;~~

19 ~~(g) Consistency with regional transportation plans developed under~~
20 ~~chapter 47.80 RCW;~~

21 ~~((e)) (h) Public views concerning proposed improvements;~~

22 ~~((f)) (i) The conservation of energy resources ((and the capacity~~
23 ~~of the transportation corridor to move people and goods safely and at~~
24 ~~reasonable speeds)); ((and~~

25 ~~(g)) (j) Feasibility of financing the full proposed improvement;~~

26 ~~(k) Commitments established in previous legislative sessions;~~

27 ~~(l) Relative costs and benefits of candidate programs;~~

28 ~~(m) Major projects addressing capacity deficiencies which~~
29 ~~prioritize allowing for preliminary engineering shall be reprioritized~~
30 ~~during the succeeding biennium, based upon updated project data.~~
31 ~~Reprioritized projects may be delayed or canceled by the transportation~~
32 ~~commission if higher priority projects are awaiting funding; and~~

33 ~~(n) Major project approvals which significantly increase a~~
34 ~~project's scope or cost from original prioritization estimates shall~~
35 ~~include a review of the project's estimated revised priority rank and~~
36 ~~the level of funding provided. Projects may be delayed or canceled by~~
37 ~~the transportation commission if higher priority projects are awaiting~~
38 ~~funding.~~

1 ~~((7))~~ (3) The commission ~~((in selecting any project for~~
2 ~~improvement in categories A, B, C, or H))~~ may depart from the priority
3 ~~((of projects so))~~ programming established under subsections (1) and
4 (2) of this section: (a) To the extent that otherwise funds cannot be
5 utilized feasibly within the program~~((7))~~; (b) as may be required by a
6 court judgment, legally binding agreement, or state and federal laws
7 and regulations~~((7))~~; (c) as may be required to coordinate with
8 federal, local, or other state agency construction projects~~((7))~~; (d)
9 to take advantage of some substantial financial benefit that may be
10 available~~((7))~~; (e) for continuity of route development~~((7))~~; or (f)
11 because of changed financial or physical conditions of an unforeseen or
12 emergent nature. The commission or secretary of transportation shall
13 maintain in its files information sufficient to show the extent to
14 which the commission has departed from the established priority ~~((of~~
15 ~~projects.~~

16 ~~(8) The comprehensive six-year program and financial plan for~~
17 ~~highway improvements shall be revised biennially pursuant to RCW~~
18 ~~47.05.040 as now or hereafter amended. The adopted program and plan~~
19 ~~shall be extended for an additional two years, to six years in the~~
20 ~~future, effective on July 1st of each odd-numbered year)).~~

21 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.05 RCW
22 to read as follows:

23 The provisions of chapter ..., Laws of 1993 (this act) modifying
24 procedures for priority programming for highway development as set
25 forth in chapter 47.05 RCW, first apply to the comprehensive six-year
26 state highway investment program for the periods 1995 to 2001. For the
27 transition biennium ending June 30, 1995, the commission may deviate
28 from the modified procedures prescribed by chapter ..., Laws of 1993
29 (this act).

30 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each
31 repealed:

32 (1) RCW 47.05.040 and 1987 c 179 s 4, 1979 ex.s. c 122 s 4, 1977
33 ex.s. c 235 s 15, 1975 1st ex.s. c 143 s 3, 1973 2nd ex.s. c 12 s 5,
34 1969 ex.s. c 39 s 4, & 1963 c 173 s 4;

35 (2) RCW 47.05.055 and 1979 ex.s. c 122 s 6 & 1975 1st ex.s. c 143
36 s 6;

1 (3) RCW 47.05.070 and 1991 c 358 s 5, 1983 1st ex.s. c 53 s 31,
2 1979 ex.s. c 122 s 7, 1977 ex.s. c 151 s 45, 1973 2nd ex.s. c 12 s 7,
3 & 1963 c 173 s 7; and

4 (4) RCW 47.05.085 and 1985 c 400 s 4.

Passed the Senate April 20, 1993.

Passed the House April 17, 1993.

Approved by the Governor May 17, 1993.

Filed in Office of Secretary of State May 17, 1993.