

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6628

Chapter 199, Laws of 1998

(partial veto)

55th Legislature
1998 Regular Session

TRANSPORTATION PLANNING--COMPONENTS--STUDY OF WASHINGTON-BUILT
LIGHT RAIL TRAIN SETS AND COMPONENTS

EFFECTIVE DATE: 6/11/98

Passed by the Senate March 12, 1998
YEAS 48 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House March 11, 1998
YEAS 77 NAYS 21

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 27, 1998, with the
exception of sections 2 and 3, which
are vetoed.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
ENGROSSED SENATE BILL 6628 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

MIKE O'CONNELL

Secretary

FILED

March 27, 1998 - 3:41 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6628

AS AMENDED BY THE HOUSE

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1998 Regular Session

By Senators Benton, Finkbeiner, Anderson, Zarelli and Schow

Read first time 01/23/98. Referred to Committee on Transportation.

1 AN ACT Relating to the state-owned facilities component of the
2 state-wide transportation plan and intercity passenger rail; and
3 amending RCW 47.06.040, 47.06.050, and 47.06.090; and adding a new
4 chapter to 81.104 RCW.

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

6 **Sec. 1.** RCW 47.06.040 and 1994 c 258 s 5 are each amended to read
7 as follows:

8 The department shall develop a state-wide multimodal transportation
9 plan under RCW 47.01.071(3) and in conformance with federal
10 requirements, to ensure the continued mobility of people and goods
11 within regions and across the state in a safe, cost-effective manner.
12 The state-wide multimodal transportation plan shall consist of:

13 (1) A state-owned facilities component, which shall guide state
14 investment for state highways including bicycle and pedestrian
15 facilities, and state ferries; and

16 (2) A state-interest component, which shall define the state
17 interest in aviation, marine ports and navigation, freight rail,
18 intercity passenger rail, bicycle transportation and pedestrian
19 walkways, and public transportation, and recommend actions in

1 coordination with appropriate public and private transportation
2 providers to ensure that the state interest in these transportation
3 modes is met.

4 The plans developed under each component must be consistent with
5 the state transportation policy plan and with each other, reflect
6 public involvement, be consistent with regional transportation
7 planning, high-capacity transportation planning, and local
8 comprehensive plans prepared under chapter 36.70A RCW, and include
9 analysis of intermodal connections and choices. A primary emphasis for
10 these plans shall be the relief of congestion, the preservation of
11 existing investments, the improvement of traveler safety, the efficient
12 movement of freight and goods, and the improvement and integration of
13 all transportation modes to create a seamless intermodal transportation
14 system for people and goods.

15 In the development of the state-wide multimodal transportation
16 plan, the department shall identify and document potential affected
17 environmental resources, including, but not limited to, wetlands, storm
18 water runoff, flooding, air quality, fish passage, and wildlife
19 habitat. The department shall conduct its environmental identification
20 and documentation in coordination with all relevant environmental
21 regulatory authorities, including, but not limited to, local
22 governments. The department shall give the relevant environmental
23 regulatory authorities an opportunity to review the department's
24 environmental plans. The relevant environmental regulatory authorities
25 shall provide comments on the department's environmental plans in a
26 timely manner. Environmental identification and documentation as
27 provided for in RCW 47.01.300 and this section is not intended to
28 create a private right of action or require an environmental impact
29 statement as provided in chapter 43.21C RCW.

30 **Sec. 2. RCW 47.06.050 and 1993 c 446 s 5 are each amended to read*
31 *as follows:*

32 *The state-owned facilities component of the state-wide*
33 *transportation plan shall identify the most cost-effective combination*
34 *of highway, ferry, passenger rail, and high-capacity transportation*
35 *improvements that maximizes the efficient movement of people, freight,*
36 *and goods within state transportation corridors and will consist of:*

37 *(1) The state highway system plan, which identifies program and*
38 *financing needs and recommends specific and financially realistic*

1 *improvements to preserve the structural integrity of the state highway*
2 *system, ensure acceptable operating conditions, and provide for*
3 *enhanced access to scenic, recreational, and cultural resources. The*
4 *state highway system plan shall contain the following elements:*

5 *(a) A system preservation element, which shall establish structural*
6 *preservation objectives for the state highway system including bridges,*
7 *identify current and future structural deficiencies based upon analysis*
8 *of current conditions and projected future deterioration, and recommend*
9 *program funding levels and specific actions necessary to preserve the*
10 *structural integrity of the state highway system consistent with*
11 *adopted objectives. This element shall serve as the basis for the*
12 *preservation component of the six-year highway program and the two-year*
13 *biennial budget request to the legislature;*

14 *(b) A capacity and operational improvement element, which shall*
15 *establish operational objectives, including safety considerations, for*
16 *moving people and goods on the state highway system, identify current*
17 *and future capacity, operational, and safety deficiencies, and*
18 *recommend program funding levels and specific improvements and*
19 *strategies necessary to achieve the operational objectives. In*
20 *developing capacity and operational improvement plans the department*
21 *shall first assess strategies to enhance the operational efficiency of*
22 *the existing system before recommending system expansion. Congestion*
23 *relief must be a primary emphasis of the capacity and operational*
24 *improvement element. Strategies to enhance the operational*
25 *efficiencies include but are not limited to access management,*
26 *transportation system management, demand management, and high-occupancy*
27 *vehicle facilities. The capacity and operational improvement element*
28 *must conform to the state implementation plan for air quality and be*
29 *consistent with regional transportation plans adopted under chapter*
30 *47.80 RCW, and shall serve as the basis for the capacity and*
31 *operational improvement portions of the six-year highway program and*
32 *the two-year biennial budget request to the legislature;*

33 *(c) A scenic and recreational highways element, which shall*
34 *identify and recommend designation of scenic and recreational highways,*
35 *provide for enhanced access to scenic, recreational, and cultural*
36 *resources associated with designated routes, and recommend a variety of*
37 *management strategies to protect, preserve, and enhance these*
38 *resources. The department, affected counties, cities, and towns,*

1 regional transportation planning organizations, and other state or
2 federal agencies shall jointly develop this element;

3 (d) A paths and trails element, which shall identify the needs of
4 nonmotorized transportation modes on the state transportation systems
5 and provide the basis for the investment of state transportation funds
6 in paths and trails, including funding provided under chapter 47.30
7 RCW.

8 (2) The state ferry system plan, which shall guide capital and
9 operating investments in the state ferry system. The plan shall
10 establish service objectives for state ferry routes, forecast travel
11 demand for the various markets served in the system, and develop
12 strategies for ferry system investment that consider regional and
13 state-wide vehicle and passenger needs, support local land use plans,
14 and assure that ferry services are fully integrated with other
15 transportation services. The plan shall assess the role of private
16 ferries operating under the authority of the utilities and
17 transportation commission and shall coordinate ferry system capital and
18 operational plans with these private operations. The ferry system plan
19 must be consistent with the regional transportation plans for areas
20 served by the state ferry system, and shall be developed in conjunction
21 with the ferry advisory committees.

22 *Sec. 2 was vetoed. See message at end of chapter.

23 *Sec. 3. RCW 47.06.090 and 1993 c 446 s 9 are each amended to read
24 as follows:

25 The state-interest component of the state-wide multimodal
26 transportation plan shall include an intercity passenger rail plan,
27 which shall analyze existing intercity passenger rail service and
28 recommend improvements to that service under the state passenger rail
29 service program including depot improvements, potential service
30 extensions, and ways to achieve higher train speeds. The plan must
31 include:

32 (1) A service preservation element that outlines the trackage,
33 depots, and train investments needed to maintain established service
34 levels; and

35 (2) A service improvement element that establishes service
36 improvement objectives and outlines the trackage, depot, and train
37 investments needed to meet improvement service objectives.

38 *Sec. 3 was vetoed. See message at end of chapter.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 81.104 RCW
2 to read as follows:

3 Any regional transit authority imposing taxes under this chapter
4 shall consult with the department of community, trade, and economic
5 development to explore the potential for developing contracting methods
6 and procedures that encourage the establishment of a manufacturing base
7 in the state of Washington for the purpose of constructing and
8 assembling commuter and light rail train sets and components. The
9 regional transit authority shall report its findings and
10 recommendations to the legislative transportation committee by January
11 1, 1999.

 Passed the Senate March 12, 1998.

 Passed the House March 11, 1998.

 Approved by the Governor March 27, 1998, with the exception of
 certain items that were vetoed.

 Filed in Office of Secretary of State March 27, 1998.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 2 and
3 3, Engrossed Senate Bill No. 6628 entitled:

4 "AN ACT Relating to the state-owned facilities component of the
5 state-wide transportation plan and intercity passenger rail;"

6 Section 2 of ESB 6628 would require an in-depth modal trade-off
7 analysis. Such an analysis is the type of research that we should
8 ultimately seek in our state transportation plan. However, section 2
9 calls for a cutting-edge type of analysis. There is not sufficient
10 research available to support that type of analysis at this time, and
11 it is unrealistic to expect the Department of Transportation to
12 accomplish such extensive work without any funding.

13 Section 3 of ESB 6628 would add additional requirements to the
14 intercity passenger rail plan. While it would certainly be worthwhile
15 for decision makers to have such information, the examination should be
16 more modally comprehensive. That is, similar data should be gleaned
17 for all modes to allow a more fair comparison. And again, without
18 funding from the Legislature, the Department of Transportation cannot
19 conduct such major work without being forced to neglect existing
20 statutory requirements.

21 For these reasons, I have vetoed sections 2 and 3 of Engrossed
22 Senate Bill No. 6628.

23 With the exception of sections 2 and 3, Engrossed Senate Bill No.
24 6628 is approved."