
SENATE BILL 6609

State of Washington 56th Legislature 2000 Regular Session

By Senators Heavey, Benton and Patterson

Read first time 01/20/2000. Referred to Committee on Transportation.

1 AN ACT Relating to governance of the department of transportation;
2 amending RCW 47.01.021, 47.01.031, 47.01.071, and 47.01.250; reenacting
3 and amending RCW 47.01.101; adding a new section to chapter 47.01 RCW;
4 and repealing RCW 47.01.041, 47.01.051, and 47.01.061.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.01 RCW
7 to read as follows:

8 The secretary of the department of transportation will be elected
9 by the qualified electors of the state, on the first Tuesday after the
10 first Monday in November of the year in which state officers are
11 elected, and shall hold his or her office for the term of four years,
12 and until his or her successor is elected and qualified.

13 **Sec. 2.** RCW 47.01.021 and 1977 ex.s. c 151 s 2 are each amended to
14 read as follows:

15 As used in this title unless the context indicates otherwise:

16 (1) "Department" means the department of transportation created in
17 RCW 47.01.031;

1 (2) "Commission" means the (~~transportation commission created in~~
2 ~~RCW 47.01.051~~) secretary as provided for in section 1 of this act;

3 (3) "Secretary" means the secretary of transportation as provided
4 for in (~~RCW 47.01.041~~) section 1 of this act.

5 **Sec. 3.** RCW 47.01.031 and 1988 c 167 s 11 are each amended to read
6 as follows:

7 (1) There is created a department of state government to be known
8 as the department of transportation.

9 (2) All powers, duties, and functions vested by law in the
10 department of highways, the state highway commission, the director of
11 highways, the Washington toll bridge authority, the aeronautics
12 commission, the director of aeronautics, and the canal commission, and
13 the transportation related powers, duties, and functions of the
14 planning and community affairs agency, are transferred to the
15 jurisdiction of the department, except those powers, duties, and
16 functions which are expressly directed elsewhere in this or in any
17 other act of the 1977 legislature.

18 (3) The board of pilotage commissioners is transferred to the
19 jurisdiction of the department for its staff support and
20 administration: PROVIDED, That nothing in this section shall be
21 construed as transferring any policy making powers of the board of
22 pilotage commissioners to the (~~transportation commission or the~~)
23 department of transportation.

24 **Sec. 4.** RCW 47.01.071 and 1981 c 59 s 2 are each amended to read
25 as follows:

26 The (~~transportation commission shall have~~) secretary has the
27 following functions, powers, and duties:

28 (1) To propose policies to be adopted by the legislature designed
29 to assure the development and maintenance of a comprehensive and
30 balanced state-wide transportation system which will meet the needs of
31 the people of this state for safe and efficient transportation
32 services. Wherever appropriate the policies shall provide for the use
33 of integrated, intermodal transportation systems to implement the
34 social, economic, and environmental policies, goals, and objectives of
35 the people of the state, and especially to conserve nonrenewable
36 natural resources including land and energy. To this end the
37 (~~commission~~) secretary shall:

1 (a) Develop transportation policies which are based on the
2 policies, goals, and objectives expressed and inherent in existing
3 state laws;

4 (b) Inventory the adopted policies, goals, and objectives of the
5 local and area-wide governmental bodies of the state and define the
6 role of the state, regional, and local governments in determining
7 transportation policies, in transportation planning, and in
8 implementing the state transportation plan;

9 (c) Propose a transportation policy for the state, and after notice
10 and public hearings, submit the proposal to the legislative
11 transportation committee and the senate and house transportation
12 committees by January 1, (~~1978~~) 2002, for consideration in the next
13 legislative session;

14 (d) Establish a procedure for review and revision of the state
15 transportation policy and for submission of proposed changes to the
16 legislature;

17 (e) To integrate the state-wide transportation plan with the needs
18 of the elderly and handicapped, and to coordinate federal and state
19 programs directed at assisting local governments to answer such needs;

20 (2) To establish the policy of the department (~~to be followed by~~
21 ~~the secretary~~)) on each of the following items:

22 (a) To provide for the effective coordination of state
23 transportation planning with national transportation policy, state and
24 local land use policies, and local and regional transportation plans
25 and programs;

26 (b) To provide for public involvement in transportation designed to
27 elicit the public's views both with respect to adequate transportation
28 services and appropriate means of minimizing adverse social, economic,
29 environmental, and energy impact of transportation programs;

30 (c) To provide for the administration of grants in aid and other
31 financial assistance to counties and municipal corporations for
32 transportation purposes;

33 (d) To provide for the management, sale, and lease of property or
34 property rights owned by the department which are not required for
35 transportation purposes;

36 (3) To (~~direct the secretary to~~) prepare (~~and submit to the~~
37 ~~commission~~)) a comprehensive and balanced state-wide transportation
38 plan which shall be based on the transportation policy adopted by the
39 legislature and applicable state and federal laws. After public notice

1 and hearings, the ~~((commission))~~ secretary shall adopt the plan and
2 submit it to the legislative transportation committee and to the house
3 and senate ~~((standing))~~ transportation committees ~~((on transportation))~~
4 before January 1, ~~((1980))~~ 2002, for consideration in the ~~((1980))~~ 2002
5 regular legislative session. The plan shall be reviewed and revised
6 prior to each regular session of the legislature during an even-
7 numbered year thereafter. ~~((A preliminary plan shall be submitted to
8 such committees by January 1, 1979.))~~

9 The plan shall take into account federal law and regulations
10 relating to the planning, construction, and operation of transportation
11 facilities;

12 ~~((4))~~ ~~((To propose to the governor and the legislature prior to the
13 convening of each regular session held in an odd numbered year a
14 recommended budget for the operations of the commission as required by
15 RCW 47.01.061;~~

16 ~~((5))~~ To approve and propose to the governor and to the legislature
17 prior to the convening of each regular session during an odd-numbered
18 year a recommended budget for the operation of the department and for
19 carrying out the program of the department for the ensuing biennium.
20 The proposed budget shall separately state the appropriations to be
21 made from the motor vehicle fund for highway purposes in accordance
22 with constitutional limitations and appropriations and expenditures to
23 be made from the general fund, or accounts thereof, and other available
24 sources for other operations and programs of the department;

25 ~~((6))~~ (5) To review and authorize all departmental requests for
26 legislation;

27 ~~((7))~~ (6) To approve the issuance and sale of all bonds
28 authorized by the legislature for capital construction of state
29 highways, toll facilities, Columbia Basin county roads (for which
30 reimbursement to the motor vehicle fund has been provided), urban
31 arterial projects, and aviation facilities;

32 ~~((8))~~ (7) To adopt such rules~~((, regulations,))~~ and policy
33 directives as may be necessary to carry out reasonably and properly
34 those functions expressly vested in the ~~((commission))~~ secretary by
35 statute;

36 ~~((9))~~ To delegate any of its powers to the secretary of
37 transportation whenever it deems it desirable for the efficient
38 administration of the department and consistent with the purposes of
39 this title;

1 ~~(10))~~ (8) To exercise such other specific powers and duties as may
2 be vested in the (~~(transportation commission))~~ secretary by this or any
3 other provision of law.

4 **Sec. 5.** RCW 47.01.101 and 1987 c 505 s 48 and 1987 c 179 s 1 are
5 each reenacted and amended to read as follows:

6 The secretary shall (~~(have the authority and it shall be his or her~~
7 ~~duty))~~, subject to policy guidance from the (~~(commission))~~ legislature:

8 (1) (~~(To))~~ Serve as chief executive officer of the department with
9 full administrative authority to direct all its activities;

10 (2) (~~(To))~~ Organize the department as he or she may deem necessary
11 to carry out the work and responsibilities of the department
12 effectively;

13 (3) (~~(To))~~ Designate and establish such transportation district or
14 branch offices as may be necessary or convenient, and (~~(to))~~ appoint
15 assistants and delegate any powers, duties, and functions to them or
16 any officer or employee of the department as deemed necessary to
17 administer the department efficiently;

18 (4) (~~(To))~~ Direct and coordinate the programs of the various
19 divisions of the department to assure that they achieve the greatest
20 possible mutual benefit, produce a balanced overall effort, and
21 eliminate unnecessary duplication of activity;

22 (5) (~~(To))~~ Adopt all department rules that are subject to the
23 adoption procedures contained in the state Administrative Procedure
24 Act(~~(, except rules subject to adoption by the commission pursuant to~~
25 ~~statute))~~);

26 (6) (~~(To))~~ Maintain and safeguard the official records of the
27 department(~~(, including the commission's recorded resolutions and~~
28 ~~orders))~~);

29 (7) (~~(To provide full staff support to the commission to assist it~~
30 ~~in carrying out its functions, powers, and duties and to))~~ Execute the
31 policy established by the (~~(commission pursuant to its legislative~~
32 ~~authority))~~ legislature;

33 (8) (~~(To))~~ Execute and implement the biennial operating budget for
34 the operation of the department in accordance with chapter 43.88 RCW
35 and with legislative appropriation and, in such manner as prescribed
36 therein, (~~(to))~~ make and report to the (~~(commission and))~~ the chairs of
37 the transportation committees of the senate and house of
38 representatives, including one copy to the staff of each of the

1 committees, deviations from the planned biennial category A and H
2 highway construction programs necessary to adjust to unexpected delays
3 or other unanticipated circumstances(~~(-)~~); and
4 (9) (~~(Fø)~~) Exercise all other powers and perform all other duties
5 as are now or hereafter provided by law.

6 **Sec. 6.** RCW 47.01.250 and 1998 c 245 s 92 are each amended to read
7 as follows:

8 The chief of the Washington state patrol, the director of the
9 traffic safety commission, the executive director of the county road
10 administration board, and the director of licensing are designated as
11 official consultants to the (~~(transportation commission)~~) secretary so
12 that the goals and activities of their respective agencies which relate
13 to transportation are fully coordinated with other related
14 responsibilities of the department of transportation. In this
15 capacity, the chief of the Washington state patrol, the director of the
16 traffic safety commission, the executive director of the county road
17 administration board, and the director of licensing shall consult with
18 the (~~(transportation commission and the)~~) secretary of transportation
19 on the implications and impacts on the transportation-related functions
20 and duties of their respective agencies of any proposed comprehensive
21 transportation plan, program, or policy.

22 In order to develop fully integrated, balanced, and coordinated
23 transportation plans, programs, and budgets the chief of the Washington
24 state patrol, the director of the traffic safety commission, the
25 executive director of the county road administration board, and the
26 director of licensing shall consult with the secretary of
27 transportation on the matter of relative priorities during the
28 development of their respective agencies' plans, programs, and budgets
29 as they pertain to transportation activities.

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

- 32 (1) RCW 47.01.041 (Secretary of transportation--Appointment,
33 salary, removal) and 1983 1st ex.s. c 53 s 28 & 1977 ex.s. c 151 s 4;
34 (2) RCW 47.01.051 (Commission created--Appointment of members--
35 Terms--Qualifications--Removal) and 1977 ex.s. c 151 s 5; and

1 (3) RCW 47.01.061 (Commission--Procedures and internal operations)
2 and 1987 c 364 s 2, 1984 c 287 s 94, 1983 1st ex.s. c 53 s 29, 1981 c
3 59 s 1, & 1977 ex.s. c 151 s 6.

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