
SENATE BILL 6849

State of Washington

56th Legislature

2000 Regular Session

By Senators Roach, Heavey and Benton

Read first time 02/12/2000. Referred to Committee on Transportation.

1 AN ACT Relating to mobility enhancement; amending RCW 47.01.071,
2 47.05.010, 47.05.030, and 47.05.051; adding a new section to chapter
3 47.05 RCW; and adding a new chapter to Title 47 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that the people
6 of the state rank traffic congestion as one of their greatest concerns
7 and rightfully expect the state to seek realistic, implementable
8 solutions. Recent studies for Puget Sound have indicated that the
9 annual cost of congestion exceeds two billion dollars a year with a
10 national study ranking the region as third worst in the nation.
11 Congestion symptoms are becoming evident in parts of eastern Washington
12 and southwest Washington as well. As a result, the legislature
13 declares that reducing traffic congestion while increasing mobility is
14 the primary objective for state and local surface transportation
15 programs.

16 Nevertheless, the state's priority programming for highway
17 development has arguably been retarded by conflicting goals with the
18 result that financial resources have been allocated in a manner that
19 has allowed congestion to reach unacceptable levels. Congestion has

1 raised not only the accident/injury potential but also dramatically
2 impacted freight movement and service vehicle accessibility. While
3 planners had hoped that concentrated alternatives such as transit would
4 have had a far greater impact, these solutions at best will have less
5 than five percent of total daily trips by 2010 in Puget Sound even with
6 the sound transit proposal.

7 The legislature hereby refocuses the state-wide responsibilities
8 under this chapter to a unified goal of reducing congestion by keying
9 on the nature of delay. The plan devotes resources to reducing the
10 index to a level that occurred circa 1980 for those noncompliance
11 areas. For the Puget Sound area, this would equate to a congestion
12 reduction of twenty-five percent from current levels and would reduce
13 delay per person by approximately seventy percent. If measured by the
14 current Texas transportation institute's delay per capita statistic,
15 this act would require projects in Puget Sound that would reduce the
16 fifty-four annual hours of delay per person in 1997 to approximately
17 seventeen hours of delay per person.

18 NEW SECTION. **Sec. 2.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires otherwise.

20 (1) "Guidelines" means the criteria developed jointly by the
21 respective state agencies and the legislature to accomplish the goals
22 of this chapter.

23 (2) "Urban monitoring area" means every area in this state
24 designated as an urban monitoring area by the transportation
25 commission, transportation improvement board, county road
26 administration board, freight mobility strategic investment board, or
27 other state or local agency having jurisdiction over surface
28 transportation projects.

29 (3) "Freeway/expressway" means any state or county road so
30 designated in accordance with criteria established by state and federal
31 agencies.

32 (4) "Principal arterial" means any county road or city street so
33 designated in accordance with criteria established by state and federal
34 agencies.

35 (5) "Congestion index" means measures of performance as developed
36 by the Texas transportation institute, or successor institution, using
37 delay-based measures of performance (delay per driver) as specified
38 below:

1 (a) Delay should be limited to automobiles and trucks on the system
2 of freeways, expressways, and principal arterial; transit delay should
3 be excluded since such measurement represents only a difference between
4 scheduled times and actual times;

5 (b) Total delay should be a composite for all modes of travel using
6 a base, for comparison, of automobile trip times under free flow
7 conditions, as defined by the Texas transportation institute or
8 successor institution;

9 (c) Delay should include both the daily, recurring delay resulting
10 from congestion and incident delay resulting from accidents, temporary
11 road closures, and other events;

12 (d) Delay should be measured on a per capita or per driver basis;
13 and

14 (e) Delay should consider whole twenty-four hour daily periods.

15 NEW SECTION. **Sec. 3.** Prior to the 2001 legislative session, the
16 transportation commission, transportation improvement board, county
17 road administration board, and freight mobility strategic investment
18 board shall apply formulae using the congestion index on a state-wide
19 basis in respective transportation networks in order to determine
20 traffic delay. In the case of urban monitoring areas, the formulae
21 will place them in a noncompliance mode when the delay per driver
22 reaches fifteen hours per person per year. For all other areas, any
23 highway/expressway/principal arterial network carrying more than forty
24 thousand vehicles per day would also become a noncompliance area when
25 the delay per driver reaches fifteen hours per person per year. For
26 succeeding biennia, state and local agencies shall monitor and update
27 the plan as necessary.

28 NEW SECTION. **Sec. 4.** Upon a determination of noncompliance, state
29 and local agencies shall develop plans to reduce the delay per driver
30 to compliance levels. Such plans must be the first priority of
31 existing federal, state, and local revenue sources.

32 NEW SECTION. **Sec. 5.** For the purposes of this chapter, urban
33 monitoring areas of the state are classified as follows:

34 (1) Puget Sound including areas within King, Pierce, Snohomish, and
35 Kitsap counties;

1 (2) Olympic region including Clallam, Jefferson, Grays Harbor,
2 Mason, and Thurston counties;

3 (3) Northwest region including Whatcom, Skagit, Island, and San
4 Juan counties;

5 (4) Southwest region including Clark, Cowlitz, Wahkiakum, Pacific,
6 Lewis, Skamania, and Klickitat counties;

7 (5) North central region including Okanogan, Chelan, Douglas,
8 Grant, and Ferry counties;

9 (6) South central region including Kittitas, Yakima, Benton,
10 Franklin, Walla Walla, Columbia, Garfield, and Asotin counties; and

11 (7) Eastern region including Stevens, Pend Oreille, Lincoln,
12 Spokane, Adams, and Whitman counties.

13 NEW SECTION. **Sec. 6.** Funds available for expenditure by state and
14 local government pursuant to this chapter and apportioned to the seven
15 regions of the state must be budgeted and expended, pursuant to proper
16 appropriation, for specific highway/road improvement projects within
17 the urban monitoring areas of each region in accordance with the
18 guidelines. Such expenditures in urban monitoring areas may be
19 additional to expenditures from all other construction funds regularly
20 programmed prior to the effective date of this act for highway
21 improvements throughout the state pursuant to chapter 47.05 RCW.

22 NEW SECTION. **Sec. 7.** Pursuant to the guidelines, funds available
23 for expenditure must be apportioned to the seven regions for
24 expenditure upon highways/expressways, principal arterial, and local
25 roads in the seven regions in a manner that accomplishes the overall
26 objectives of this chapter. Necessary funds must be expended to
27 achieve congestion reduction under the congestion index approach as
28 defined in this chapter regardless of the overall distribution of
29 projected expenditures state-wide.

30 NEW SECTION. **Sec. 8.** A new section is added to chapter 47.05 RCW
31 to read as follows:

32 The transportation improvement board, county road administration
33 board, and freight mobility strategic investment board shall prepare
34 plans of implementation and remediation by reviewing local surface
35 transportation plans where noncompliance under section 3 of this act
36 has occurred.

1 **Sec. 9.** RCW 47.01.071 and 1981 c 59 s 2 are each amended to read
2 as follows:

3 The transportation commission shall have the following functions,
4 powers, and duties:

5 (1) To propose policies to be adopted by the legislature designed
6 to assure the development and maintenance of a comprehensive and
7 balanced state-wide transportation system which will meet the needs of
8 the people of this state for safe and efficient transportation
9 services. Wherever appropriate the policies shall provide for the use
10 of integrated, intermodal transportation systems to implement the
11 social, economic, and environmental policies, goals, and objectives of
12 the people of the state, and especially to conserve nonrenewable
13 natural resources including land and energy. To this end the
14 commission shall:

15 (a) Develop transportation policies which are based on the
16 policies, goals, and objectives expressed and inherent in existing
17 state laws;

18 (b) Inventory the adopted policies, goals, and objectives of the
19 local and area-wide governmental bodies of the state and define the
20 role of the state, regional, and local governments in determining
21 transportation policies, in transportation planning, and in
22 implementing the state transportation plan;

23 (c) Propose a transportation policy for the state, and after notice
24 and public hearings, submit the proposal to the legislative
25 transportation committee and the senate and house transportation
26 committees by January 1, 1978, for consideration in the next
27 legislative session;

28 (d) Establish a procedure for review and revision of the state
29 transportation policy and for submission of proposed changes to the
30 legislature;

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

34 (2) To establish the policy of the department to be followed by the
35 secretary on each of the following items:

36 (a) To provide for the effective coordination of state
37 transportation planning with national transportation policy, state and
38 local land use policies, and local and regional transportation plans
39 and programs;

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

5 (c) To provide for the administration of grants in aid and other
6 financial assistance to counties and municipal corporations for
7 transportation purposes;

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

11 (3) To direct the secretary to prepare and submit to the commission
12 a comprehensive and balanced state-wide transportation plan which shall
13 comply with chapter 47.-- RCW (sections 1 through 7 of this act) and be
14 based on the transportation policy adopted by the legislature and
15 applicable state and federal laws. After public notice and hearings,
16 the commission shall adopt the plan and submit it to the legislative
17 transportation committee and to the house and senate standing
18 committees on transportation before January 1, 1980, for consideration
19 in the 1980 regular legislative session. The plan shall be reviewed
20 and revised prior to each regular session of the legislature during an
21 even-numbered year thereafter. A preliminary plan shall be submitted
22 to such committees by January 1, 1979.

23 The plan shall take into account federal law and regulations
24 relating to the planning, construction, and operation of transportation
25 facilities;

26 (4) To propose to the governor and the legislature prior to the
27 convening of each regular session held in an odd-numbered year a
28 recommended budget for the operations of the commission as required by
29 RCW 47.01.061;

30 (5) To approve and propose to the governor and to the legislature
31 prior to the convening of each regular session during an odd-numbered
32 year a recommended budget for the operation of the department and for
33 carrying out the program of the department for the ensuing biennium.
34 The proposed budget shall separately state the appropriations to be
35 made from the motor vehicle fund for highway purposes in accordance
36 with constitutional limitations and appropriations and expenditures to
37 be made from the general fund, or accounts thereof, and other available
38 sources for other operations and programs of the department;

1 (6) To review and authorize all departmental requests for
2 legislation;

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

8 (8) To adopt such rules, regulations, and policy directives as may
9 be necessary to carry out reasonably and properly those functions
10 expressly vested in the commission by statute;

11 (9) To delegate any of its powers to the secretary of
12 transportation whenever it deems it desirable for the efficient
13 administration of the department and consistent with the purposes of
14 this title;

15 (10) To exercise such other specific powers and duties as may be
16 vested in the transportation commission by this or any other provision
17 of law.

18 **Sec. 10.** RCW 47.05.010 and 1993 c 490 s 1 are each amended to read
19 as follows:

20 The legislature finds that solutions to state highway deficiencies
21 have become increasingly complex and diverse and that anticipated
22 transportation revenues will fall substantially short of the amount
23 required to satisfy all transportation needs. Difficult investment
24 trade-offs will be required.

25 It is the intent of the legislature that investment of state
26 transportation funds to address deficiencies on the state highway
27 system be based on a policy of priority programming having as its basis
28 the rational selection of projects and services according to factual
29 need and an evaluation of life cycle costs and benefits and which are
30 systematically scheduled to carry out defined objectives within
31 available revenue.

32 The priority programming system shall comply with chapter 47.-- RCW
33 (sections 1 through 7 of this act), ensure preservation of the existing
34 state highway system, provide mobility for people and goods, support
35 the state's economy, and promote environmental protection and energy
36 conservation.

37 The priority programming system shall implement the state-owned
38 highway component of the state-wide multimodal transportation plan,

1 consistent with local and regional transportation plans, by targeting
2 state transportation investment to appropriate multimodal solutions
3 which address identified state highway system deficiencies.

4 The priority programming system for improvements shall incorporate
5 a broad range of solutions that are identified in the state-wide
6 multimodal transportation plan as appropriate to address state highway
7 system deficiencies including but not limited to highway expansion,
8 efficiency improvements, nonmotorized transportation facilities, high
9 occupancy vehicle facilities, transit facilities and services, rail
10 facilities and services, and transportation demand management programs.

11 **Sec. 11.** RCW 47.05.030 and 1998 c 171 s 6 are each amended to read
12 as follows:

13 The transportation commission shall adopt a comprehensive six-year
14 investment program specifying program objectives and performance
15 measures for the preservation and improvement programs defined in this
16 section. In the specification of investment program objectives and
17 performance measures, the transportation commission, in consultation
18 with the Washington state department of transportation, shall define
19 and adopt standards for effective programming and prioritization
20 practices including a needs analysis process. The needs analysis
21 process shall ensure compliance with chapter 47.-- RCW (sections 1
22 through 7 of this act), 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

1 identify projects for two years and major deficiencies proposed to be
2 addressed in the six-year period giving consideration to relative
3 benefits and life cycle costing. The transportation commission shall
4 give higher priority for correcting identified deficiencies on those
5 facilities classified as facilities of state-wide significance as
6 defined in RCW 47.06.140.

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

10 **Sec. 12.** RCW 47.05.051 and 1998 c 175 s 12 are each amended to
11 read as follows:

12 The comprehensive six-year investment program shall be based upon
13 the needs identified in the state-owned highway component of the state-
14 wide multimodal transportation plan as defined in RCW 47.01.071(3) and
15 priority selection systems that incorporate the following criteria:

16 (1) Priority programming for the preservation program shall take
17 into account the following, not necessarily in order of importance:

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

19 (b) Ensuring the structural ability to carry loads imposed upon
20 highways and bridges; and

21 (c) Minimizing life cycle costs. The transportation commission in
22 carrying out the provisions of this section may delegate to the
23 department of transportation the authority to select preservation
24 projects to be included in the six-year program.

25 (2) Priority programming for the improvement program shall take
26 into account the following:

27 (a) Support for the state's economy, including job creation and job
28 preservation;

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

30 (c) Accident and accident risk reduction;

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

32 (e) Continuity and systematic development of the highway
33 transportation network;

34 (f) Consistency with local comprehensive plans developed under
35 chapter 36.70A RCW;

36 (g) Consistency with regional transportation plans developed under
37 chapter 47.80 RCW;

38 (h) Public views concerning proposed improvements;

1 (i) The conservation of energy resources;
2 (j) Feasibility of financing the full proposed improvement;
3 (k) Commitments established in previous legislative sessions;
4 (l) Relative costs and benefits of candidate programs;
5 (m) Major projects addressing capacity deficiencies which
6 prioritize allowing for preliminary engineering shall be reprioritized
7 during the succeeding biennium, based upon updated project data.
8 Reprioritized projects may be delayed or canceled by the transportation
9 commission if higher priority projects are awaiting funding; and
10 (n) Major project approvals which significantly increase a
11 project's scope or cost from original prioritization estimates shall
12 include a review of the project's estimated revised priority rank and
13 the level of funding provided. Projects may be delayed or canceled by
14 the transportation commission if higher priority projects are awaiting
15 funding.

16 (3) The commission may depart from the priority programming
17 established under subsections (1) and (2) of this section: (a) To
18 comply with chapter 47.-- RCW (sections 1 through 7 of this act); (b)
19 to the extent that otherwise funds cannot be utilized feasibly within
20 the program; (~~(b)~~) (c) as may be required by a court judgment,
21 legally binding agreement, or state and federal laws and regulations;
22 (~~(e)~~) (d) as may be required to coordinate with federal, local, or
23 other state agency construction projects; (~~(d)~~) (e) to take advantage
24 of some substantial financial benefit that may be available; (~~(e)~~)
25 (f) for continuity of route development; or (~~(f)~~) (g) because of
26 changed financial or physical conditions of an unforeseen or emergent
27 nature. The commission or secretary of transportation shall maintain
28 in its files information sufficient to show the extent to which the
29 commission has departed from the established priority.

30 (4) The commission shall identify those projects that yield freight
31 mobility benefits or that alleviate the impacts of freight mobility
32 upon affected communities.

33 NEW SECTION. Sec. 13. Sections 1 through 7 of this act constitute
34 a new chapter in Title 47 RCW.

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