

ESSB 6091 - H AMD 892

By Representative Murray

ADOPTED AS AMENDED 04/24/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "2005-07 BIENNIUM

4 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
5 is hereby adopted and, subject to the provisions set forth, the several
6 amounts specified, or as much thereof as may be necessary to accomplish
7 the purposes designated, are hereby appropriated from the several
8 accounts and funds named to the designated state agencies and offices
9 for employee compensation and other expenses, for capital projects, and
10 for other specified purposes, including the payment of any final
11 judgments arising out of such activities, for the period ending June
12 30, 2007.

13 (2) Unless the context clearly requires otherwise, the definitions
14 in this subsection apply throughout this act.

15 (a) "Fiscal year 2006" or "FY 2006" means the fiscal year ending
16 June 30, 2006.

17 (b) "Fiscal year 2007" or "FY 2007" means the fiscal year ending
18 June 30, 2007.

19 (c) "FTE" means full-time equivalent.

20 (d) "Lapse" or "revert" means the amount shall return to an
21 unappropriated status.

22 (e) "Provided solely" means the specified amount may be spent only
23 for the specified purpose.

24 (f) "Reappropriation" means appropriation and, unless the context
25 clearly provides otherwise, is subject to the relevant conditions and
26 limitations applicable to appropriations.

27 (g) "LEAP" means the legislative evaluation and accountability
28 program committee.

1 **GENERAL GOVERNMENT AGENCIES--OPERATING**

2 NEW SECTION. **Sec. 101. FOR THE UTILITIES AND TRANSPORTATION**
3 **COMMISSION**

4 Grade Crossing Protective Account--State Appropriation . . . \$501,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: Per current law, funds will be transferred
7 from the public service revolving fund's miscellaneous fees and
8 penalties accounts to the grade crossing protection account--state as
9 needed to implement the commission's railroad safety program.

10 NEW SECTION. **Sec. 102. FOR THE MARINE EMPLOYEES COMMISSION**

11 Puget Sound Ferry Operations Account--State
12 Appropriation \$390,000

13 The appropriation in this section is subject to the following
14 conditions and limitations: To address its growing caseload, the
15 marine employees commission shall develop a plan for prioritizing cases
16 to schedule for hearings. The commission shall report back to the
17 transportation committees of the legislature on its case prioritization
18 plan by December 15, 2005.

19 NEW SECTION. **Sec. 103. FOR THE STATE PARKS AND RECREATION**
20 **COMMISSION**

21 Motor Vehicle Account--State Appropriation \$976,000

22 The appropriation in this section is subject to the following
23 conditions and limitations:

24 (1) The entire appropriation in this section is provided solely for
25 road maintenance purposes.

26 (2) The commission shall conduct a study of existing requirements
27 regarding all-terrain vehicle (ATV) operators and submit
28 recommendations to the legislature concerning whether revisions to
29 those requirements are warranted. The study and recommendations shall,
30 at a minimum, include (a) the feasibility of requiring a comprehensive
31 hands-on ATV safety education and training program for ATV operators;
32 (b) ATV operator equipment requirements; and (c) ATV operating
33 requirements, including the adoption of minimum age requirements
34 corresponding to different engine capacities of ATVs. The commission

1 shall consult with the department of licensing and other stakeholders
2 when conducting the study and developing recommendations and shall
3 submit a final report to the transportation committees of the
4 legislature by December 1, 2005.

5 NEW SECTION. **Sec. 104. FOR THE DEPARTMENT OF AGRICULTURE**

6 Motor Vehicle Account--State Appropriation \$329,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: \$329,000 of the motor vehicle account--
9 state appropriation is provided solely for costs associated with the
10 motor fuel quality program.

11 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF ARCHEOLOGY AND**
12 **HISTORIC PRESERVATION**

13 Motor Vehicle Account--State Appropriation \$200,000

14 The appropriation in this section is subject to the following
15 conditions and limitations:

16 (1) If Second Substitute Senate Bill No. 5056 is not enacted by
17 June 30, 2005, the entire appropriation shall lapse.

18 (2) The entire appropriation is for additional staffing costs to be
19 dedicated to state transportation activities. Furthermore, any staff
20 hired to support transportation activities must have practical
21 experience with complex construction projects.

22 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

23 NEW SECTION. **Sec. 106. FOR WASHINGTON STATE PARKS AND**
24 **RECREATION--CAPITAL PROJECTS**

25 Motor Vehicle Account--State Appropriation \$1,400,000

26 The appropriation in this section is subject to the following
27 conditions and limitations:

28 (1) \$1,300,000 of the motor vehicle account--state appropriation is
29 a one-time appropriation and is provided solely for the SR 14
30 interchange portion of the Beacon Rock state park entrance road
31 project. Any portion of the appropriation not expended by June 30,
32 2007, shall revert to the motor vehicle account--state.

1 (2) \$100,000 of the appropriation is provided solely for road work
2 on state route 20 at Deception Pass state park.

3 **TRANSPORTATION AGENCIES--OPERATING**

4 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
5 **COMMISSION**

6	Highway Safety Account--State Appropriation	\$2,135,000
7	Highway Safety Account--Federal Appropriation	\$15,828,000
8	School Zone Safety Account--State Appropriation	\$3,300,000
9	Bicycle and Pedestrian Safety Account--State	
10	Appropriation	\$40,000
11	TOTAL APPROPRIATION	\$21,303,000

12 The appropriations in this section are subject to the following
13 conditions and limitations: The Washington traffic safety commission
14 shall contract with the Washington state institute for public policy to
15 conduct a study of the impact of state programs concerning the
16 reduction of DUI recidivism. The study must include, on a prioritized
17 basis to the extent federal funds are made available for the study, the
18 following components: (1) The state's existing deferred prosecution
19 program; (2) the state's vehicle impound program; and (3) other states'
20 programs that restrict a person's access to the vehicle, or suspend the
21 vehicle license and registration, upon arrest or conviction.

22 The completed study must be submitted to the appropriate
23 legislative committees by December 1, 2006.

24 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

25	Rural Arterial Trust Account--State Appropriation	\$821,000
26	Motor Vehicle Account--State Appropriation	\$1,942,000
27	County Arterial Preservation Account--State Appropriation . .	\$777,000
28	TOTAL APPROPRIATION	\$3,540,000

29 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

30	Urban Arterial Trust Account--State Appropriation	\$1,624,000
31	Transportation Improvement Account--State Appropriation . .	\$1,625,000
32	TOTAL APPROPRIATION	\$3,249,000

1 NEW SECTION. **Sec. 204. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

2 Pilotage Account--State Appropriation \$417,000

3 NEW SECTION. **Sec. 205. FOR THE JOINT TRANSPORTATION COMMITTEE**

4 Motor Vehicle Account--State Appropriation \$1,400,000

5 The appropriation in this section is subject to the following
6 conditions and limitations:

7 (1) The joint transportation committee shall conduct a review of
8 state level governance of transportation, with a focus on the
9 appropriate roles of the separate branches of government. The
10 committee shall review the statutory duties, roles, and functions of
11 the transportation commission and the department. In that review the
12 committee shall determine which responsibilities may be transferred to
13 the executive and which may be transferred to the legislature. By
14 December 15, 2005, the joint transportation committee shall make its
15 recommendations to the house of representatives and senate
16 transportation committees. The joint transportation committee shall
17 consult with affected agencies and other stakeholders in conducting its
18 analysis. The committee may consult with and retain private
19 professional and technical experts as necessary to ensure an
20 independent review and analysis.

21 (2) The joint transportation committee shall conduct a study
22 regarding the feasibility of a statewide uniform motor vehicle excise
23 tax (MVET) depreciation schedule. In addition to committee members,
24 the participants in the study must include at a minimum the following
25 individuals: (a) A representative of a regional transit authority
26 (Sound Transit); (b) a representative of a regional transportation
27 planning organization; (c) the secretary of transportation, or his or
28 her designee; (d) a representative of the attorney general's office;
29 (e) a representative of the department of licensing; and (f) a
30 representative of the financial community. The purpose of the study is
31 to develop an MVET depreciation schedule that more accurately reflects
32 vehicle value but does not hinder outstanding contractual obligations.

33 (3) Funds provided in this section are sufficient for the committee
34 to administer a study of the most reliable and cost-effective means of
35 providing passenger-only ferry service.

36 (a) The study shall be guided by a 18 member task force consisting
37 of the chairs and ranking members of the house of representatives and

1 senate transportation committees, a designee of the director of the
2 office of financial management, a member of the transportation
3 commission, a designee of the secretary of transportation, a
4 representative of organized labor, and ten stakeholders to be appointed
5 by the governor as follows: Six representatives of ferry user
6 communities, two representatives of public transportation agencies, and
7 two representatives of commercial ferry operators.

8 (b) The study shall examine issues including but not limited to the
9 long-term viability of different service providers, cost to ferry
10 passengers, the state subsidies required by each provider, and the
11 availability of federal funding for the different service providers.

12 (c) By November 30, 2005, the task force shall make its
13 recommendations to the house of representatives and senate
14 transportation committees.

15 (4) \$450,000 of the motor vehicle account--state appropriation is
16 provided solely to administer a consultant study of the long-term
17 viability of the state's transportation financing methods and sources.

18 (a) At a minimum, the study must examine the following: (i) The
19 short and long-term viability of the motor fuel tax (both state and
20 federal) as a major source of funding for transportation projects and
21 programs; (ii) the desirability and effectiveness of state-distributed
22 transportation funds for the benefit of local units of government;
23 (iii) the potential for alternative and/or emerging sources of
24 transportation revenues, with particular emphasis on user-based fees
25 and charges; and (iv) trends and implications of debt financing for
26 transportation projects. The scope of work for the study may be
27 expanded to include analysis of other financing issues relevant to the
28 long-term viability of the state's transportation system.

29 (b) The findings and recommendations must be submitted to the
30 fiscal committees of the legislature by November 1, 2006.

31 **NEW SECTION. Sec. 206. FOR THE TRANSPORTATION COMMISSION**

32 Motor Vehicle Account--State Appropriation	\$4,607,000
33 Multimodal Transportation Account--State	
34 Appropriation	\$1,150,000
35 TOTAL APPROPRIATION	\$5,757,000

36 The appropriations in this section are subject to the following
37 conditions and limitations:

1 (1) \$1,500,000 of the motor vehicle fund account--state
2 appropriation is provided solely for a comprehensive tolling study.
3 The transportation commission, with the technical assistance of the
4 department, must conduct a study of the state's transportation system
5 to determine the feasibility of administering tolls on specific
6 transportation facilities or a network of facilities. This study shall
7 serve as the statewide tolling feasibility study required in Engrossed
8 Substitute House Bill No. 1541, and shall serve as the tolling study
9 necessary to implement toll facilities within a regional transportation
10 investment district or its successor entity.

11 (a) The study must include an analysis of the only currently-
12 authorized toll facility, the Tacoma Narrows bridge project. The study
13 findings must include (i) the development of more uniform and equitable
14 policies regarding the distribution of financial obligations imposed on
15 those paying the tolls on the Tacoma Narrows bridge, and (ii)
16 opportunities and options for reducing the outstanding indebtedness on
17 the bridge project, including the possibility of buy-downs and other
18 means of spreading the cost of the project more equitably.

19 (b) The study element for the benefit of a regional transportation
20 investment district or regional transportation improvement authority
21 must also address the state highway system and other transportation
22 facilities in King, Pierce, and Snohomish counties to determine the
23 feasibility of value pricing on a facility or network of facilities.
24 This study element should: (i) Determine the potential for value
25 pricing to generate revenues for needed transportation facilities; (ii)
26 maximize the efficient operation of facilities and the transportation
27 network; and (iii) provide economic indicators for future system
28 investments. This element of the study must take into account
29 congestion levels, facility and corridor capacity, time of use,
30 economic considerations, and other factors deemed appropriate. The
31 study must recommend any additional laws, rules, procedures, resources,
32 studies, reports, or support infrastructure necessary or desirable
33 before proceeding with the review, evaluation, or implementation of any
34 toll projects or a system-wide, value priced transportation structure.

35 (c) The study must specifically analyze the potential for a toll
36 facility on SR 704, the cross-base highway located in Pierce county.

37 (2) \$2,270,000 of the motor vehicle account--state appropriation is
38 provided solely for the transportation performance audit board. Within

1 this amount, the transportation performance audit board shall conduct
2 a study and make recommendations to the legislature regarding the
3 modification RCW 47.01.012, state transportation goals and benchmarks.
4 In conducting the study, the board shall consider at a minimum:
5 Original recommendations of the Blue Ribbon Commission on
6 Transportation; the current policy goals and benchmark categories; the
7 goals outlined in Substitute House Bill No. 1969; the recent work
8 related to benchmarks completed by the transportation commission and
9 the Washington state department of transportation; the measures review
10 completed by TPAB; and best practices.

11 The board shall submit study results, including any legislative
12 recommendations, to the transportation committees of the legislature by
13 January 1, 2006.

14 (3) \$1,150,000 of the multimodal account--state appropriation is
15 provided solely for a statewide rail capacity and needs analysis. The
16 purpose of this study is to (a) assess the rail freight and rail
17 passenger infrastructure needs in this state; (b) review the current
18 powers, authorities, and interests the state has in both passenger and
19 freight rail; (c) recommend public policies for state participation and
20 ownership in rail infrastructure and service delivery, including but
21 not limited to planning and governance issues; and (d) develop a rail
22 asset management plan. The commission shall report their findings and
23 conclusions of the study to the transportation committees of the
24 legislature by December 1, 2006.

25 NEW SECTION. **Sec. 207. FOR THE FREIGHT MOBILITY STRATEGIC**
26 **INVESTMENT BOARD**

27 Motor Vehicle Account--State Appropriation \$664,000

28 NEW SECTION. **Sec. 208. FOR THE WASHINGTON STATE PATROL--FIELD**
29 **OPERATIONS BUREAU**

30 State Patrol Highway Account--State Appropriation \$202,530,000
31 State Patrol Highway Account--Federal Appropriation . . . \$10,544,000
32 State Patrol Highway Account--Private/Local Appropriation . . \$169,000
33 TOTAL APPROPRIATION \$213,243,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

1 (1) Washington state patrol officers engaged in off-duty uniformed
2 employment providing traffic control services to the department of
3 transportation or other state agencies may use state patrol vehicles
4 for the purpose of that employment, subject to guidelines adopted by
5 the chief of the Washington state patrol. The Washington state patrol
6 shall be reimbursed for the use of the vehicle at the prevailing state
7 employee rate for mileage and hours of usage, subject to guidelines
8 developed by the chief of the Washington state patrol. The patrol
9 shall report to the house of representatives and senate transportation
10 committees by December 31, 2005, on the use of agency vehicles by
11 officers engaging in the off-duty employment specified in this
12 subsection. The report shall include an analysis that compares cost
13 reimbursement and cost-impacts, including increased vehicle mileage,
14 maintenance costs, and indirect impacts, associated with the private
15 use of patrol vehicles.

16 (2) In addition to the user fees, the patrol shall transfer into
17 the state patrol nonappropriated airplane revolving account under RCW
18 43.79.470 no more than the amount of appropriated state patrol highway
19 account and general fund funding necessary to cover the costs for the
20 patrol's use of the aircraft. The state patrol highway account and
21 general fund--state funds shall be transferred proportionately in
22 accordance with a cost allocation that differentiates between highway
23 traffic enforcement services and general policing purposes.

24 (3) The patrol shall not account for or record locally provided DUI
25 cost reimbursement payments as expenditure credits to the state patrol
26 highway account. The patrol shall report the amount of expected
27 locally provided DUI cost reimbursements to the transportation
28 committees of the senate and house of representatives by December 31st
29 of each year.

30 (4) The state patrol highway account--state appropriation for DUI
31 reimbursements shall only be spent for pursuit vehicle video cameras,
32 datamaster DUI testing equipment, tire deflator equipment, and taser
33 guns. The Washington state patrol prior to the issuance of any taser
34 guns will train the troopers on using the equipment. The agency will
35 provide a report to the transportation committees of the senate and
36 house of representatives by December 31st of each year on the
37 occurrences where the taser guns were utilized along with any issues
38 that have been identified.

1 (5) \$29,000 of the state patrol highway account--state
2 appropriation is provided solely for the implementation of House Bill
3 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
4 amount provided in this subsection shall lapse.

5 (6) \$5,580,000 of the total appropriation is provided solely for a
6 3.8% salary increase for commissioned officers effective July 1, 2005,
7 in addition to any other salary increases provided for in this act.

8 (7) A maximum of \$9,855,000 of the total appropriation is provided
9 for ferry security-related activities. The patrol shall explore
10 alternatives for providing ferry security, including, but not limited
11 to, using cadets whenever possible and contracting with local law
12 enforcement agencies.

13 (8) The Washington state patrol is authorized to use certificates
14 of participation to fund the King Air aircraft replacement over a term
15 of not more than ten years and an amount not to exceed \$1,900,000.

16 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
17 **TECHNICAL SERVICES BUREAU**

18	State Patrol Highway Account--State Appropriation	\$82,748,000
19	State Patrol Highway Account--Private/Local	
20	Appropriation	\$2,008,000
21	TOTAL APPROPRIATION	\$84,756,000

22 The appropriations in this section are subject to the following
23 conditions and limitations:

24 (1) \$247,000 of the state patrol highway account--state
25 appropriation is provided solely for the implementation of Second
26 Substitute House Bill No. 1188. If Second Substitute House Bill No.
27 1188 is not enacted by June 30, 2005, the amount provided in this
28 subsection shall lapse.

29 (2) The Washington state patrol is instructed to work with the risk
30 management division in the office of financial management in compiling
31 the state patrol data for establishing the agency's risk management
32 insurance premiums to the tort claims account. The office of financial
33 management and the Washington state patrol shall submit a report to the
34 transportation committees of the senate and house of representatives by
35 December 31st of each year on the number of claims, estimated claims to
36 be paid, method of calculation, and the adjustment in the premium.

- 1 (3) \$6,228,000 of the total appropriation is provided solely for
- 2 automobile fuel in the 2005-2007 biennium.
- 3 (4) \$8,678,000 of the total appropriation is provided solely for
- 4 the purchase of pursuit vehicles.
- 5 (5) \$5,254,000 of the total appropriation is provided solely for
- 6 vehicle repair and maintenance costs of vehicles used for highway
- 7 purposes.
- 8 (6) \$384,000 of the total appropriation is provided solely for the
- 9 purchase of mission vehicles used for highway purposes in the
- 10 commercial vehicle and traffic investigation sections of the patrol.
- 11 (7) A maximum of \$412,000 of the total appropriation is provided
- 12 for ferry security-related activities.

13 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF LICENSING--**
 14 **MANAGEMENT AND SUPPORT SERVICES**

15	Marine Fuel Tax Refund Account--State Appropriation	\$3,000
16	Motorcycle Safety Education Account--State Appropriation . . .	\$96,000
17	Wildlife Account--State Appropriation	\$82,000
18	Highway Safety Account--State Appropriation	\$11,418,000
19	Motor Vehicle Account--State Appropriation	\$7,043,000
20	DOL Services Account--State Appropriation	\$88,000
21	Biometric Security Account--State Appropriation	\$57,000
22	TOTAL APPROPRIATION	\$18,787,000

23 The appropriations in this section are subject to the following
 24 conditions and limitations: \$1,134,000 of the motor vehicle account--
 25 state appropriation is provided solely for the implementation of
 26 Engrossed Substitute Senate Bill No. 6103. If Engrossed Substitute
 27 Senate Bill No. 6103 is not enacted by June 30, 2005, the amount
 28 provided in this subsection shall lapse.

29 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF LICENSING--**
 30 **INFORMATION SERVICES**

31	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
32	Motorcycle Safety Education Account--State Appropriation . . .	\$35,000
33	Wildlife Account--State Appropriation	\$102,000
34	Highway Safety Account--State Appropriation	\$20,698,000
35	Motor Vehicle Account--State Appropriation	\$12,095,000
36	Motor Vehicle Account--Private/Local Appropriation	\$500,000

1	DOL Services Account--State Appropriation	\$7,825,000
2	Biometric Security Account--State Appropriation	\$728,000
3	TOTAL APPROPRIATION	\$41,985,000

4 The appropriations in this section are subject to the following
5 conditions and limitations:

6 (1) The department shall submit a report to the transportation
7 committees of the legislature, detailing the progress made in
8 transitioning from the HP3000 system, by December 30, 2005, and each
9 December 1st thereafter until the project is fully completed.

10 (2) \$357,000 of the motor vehicle account--state appropriation is
11 provided solely for the implementation of all special license plate
12 bills introduced during the 2005 legislative session and approved by
13 the special license plate review board. The amount provided in this
14 subsection shall be reduced accordingly for any of those bills that are
15 not enacted by June 30, 2005.

16 (3) \$58,000 of the state wildlife account--state appropriation is
17 provided solely for the implementation of Substitute Senate Bill No.
18 5423. If Substitute Senate Bill No. 5423 is not enacted by June 30,
19 2005, the amount provided in this subsection shall lapse.

20 (4) \$145,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of Engrossed Substitute Senate
22 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
23 enacted by June 30, 2005, the amount provided in this subsection shall
24 lapse.

25 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
26 **SERVICES**

27	Marine Fuel Tax Refund Account--State Appropriation	\$26,000
28	Wildlife Account--State Appropriation	\$626,000
29	Motor Vehicle Account--State Appropriation	\$49,894,000
30	Motor Vehicle Account--Private/Local Appropriation	\$872,000
31	DOL Services Account--State Appropriation	\$1,146,000
32	Highway Safety Account--State Appropriation	\$404,000
33	TOTAL APPROPRIATION	\$52,968,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

36 (1) \$247,000 of the motor vehicle account--state appropriation is
37 provided solely for the implementation of all special license plate

1 bills introduced during the 2005 legislative session and approved by
2 the special license plate review board. The amount provided in this
3 subsection shall be reduced accordingly for any of those bills that are
4 not enacted by June 30, 2005.

5 (2) \$11,000 of the wildlife account--state appropriation is
6 provided solely for the implementation of Engrossed Senate Bill No.
7 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
8 2005, the amount provided in this subsection shall lapse.

9 (3) \$404,000 of the motor vehicle account--state appropriation is
10 provided solely for the implementation of Engrossed Substitute Senate
11 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
12 enacted by June 30, 2005, the amount provided in this subsection shall
13 lapse.

14 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--DRIVER**
15 **SERVICES**

16	Motorcycle Safety Education Account--State	
17	Appropriation	\$3,005,000
18	Highway Safety Account--State Appropriation	\$85,051,000
19	Highway Safety Account--Federal Appropriation	\$8,000
20	Biometric Security Account--State Appropriation	\$1,523,000
21	TOTAL APPROPRIATION	\$89,587,000

22 The appropriations in this section are subject to the following
23 conditions and limitations:

24 (1) \$970,000 of the highway safety account--state appropriation is
25 provided solely for the commercial driver license program. The
26 department shall informally report to the transportation committees of
27 the legislature on the progress made in addressing federal audit
28 findings and in implementing the federal motor carrier safety
29 improvement act. Reports shall be made by the following dates:
30 November 1, 2005, and each November 1st thereafter.

31 (2) \$412,000 of the motorcycle safety and education account--state
32 appropriation is provided solely for the department's motorcycle safety
33 program. The department shall informally report to the transportation
34 committees of the legislature detailing the progress made in
35 implementing national highway traffic safety assessment guidelines.
36 Reports shall be made by the following dates: November 1, 2005, and
37 each November 1st thereafter.

1 (3) The department of licensing, in consultation with the
2 department of transportation and other stakeholders, shall draft
3 legislation to bring the state into compliance with any federal
4 legislation or rules enacted relative to identification necessary for
5 persons crossing international borders. The department shall report to
6 the transportation committees of the legislature by December 1, 2005,
7 on the recommended legislation for bringing the state into compliance
8 with federal requirements.

9 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

11 Tacoma Narrows Toll Bridge Account--State Appropriation . . \$8,615,000

12 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
13 **INFORMATION TECHNOLOGY--PROGRAM C**

14 Motor Vehicle Account--State Appropriation \$55,941,000
15 Motor Vehicle Account--Federal Appropriation \$1,973,000
16 Puget Sound Ferry Operations Account--State
17 Appropriation \$8,558,000
18 Multimodal Transportation Account--State Appropriation . . . \$363,000
19 TOTAL APPROPRIATION \$66,835,000

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) \$850,000 of the motor vehicle account--state appropriation is
23 provided for the continued maintenance and support of the
24 transportation executive information system (TEIS). The TEIS shall be
25 enhanced during the 2005 legislative interim to shift towards a
26 monitoring and reporting system capable of tracking and reporting on
27 major project milestones and measurements. The department shall work
28 with the legislature to identify and define meaningful milestones and
29 measures to be used in monitoring the scope, schedule, and cost of
30 projects.

31 (2) \$350,000 of the motor vehicle account--state appropriation is
32 provided solely for a financial and capital project system needs
33 assessment for future automation development and enhancements. The
34 completed assessment will identify options which shall be presented to
35 the transportation committees of the senate and the house of
36 representatives by December 31, 2005.

1 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING**
3 Motor Vehicle Account--State Appropriation \$33,499,000

4 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **AVIATION--PROGRAM F**
6 Aeronautics Account--State Appropriation \$5,632,000
7 Aeronautics Account--Federal Appropriation \$2,150,000
8 Aircraft Search and Rescue Safety and
9 Education Account--State Appropriation \$262,000
10 Multimodal Transportation Account--State Appropriation . . . \$100,000
11 Multimodal Transportation Account--Federal Appropriation . . \$900,000
12 TOTAL APPROPRIATION \$9,044,000

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1)(a) \$433,000 of the aeronautics account--state appropriation is
16 provided solely for airport pavement projects. The department's
17 aviation division shall complete a priority airport pavement project
18 list by January 1, 2006, to be considered by the legislature in the
19 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
20 enacted by June 30, 2005, the amount provided in this subsection shall
21 lapse.

22 (b) The entire aircraft search and rescue safety and education
23 account appropriation shall lapse if Substitute Senate Bill No. 5414 is
24 enacted by June 30, 2005.

25 (c) If Substitute Senate Bill No. 5414 is enacted by July 1, 2005,
26 then the remaining unexpended fund balance in the aircraft search and
27 rescue, safety, and education account shall be deposited into the state
28 aeronautics account.

29 (2) The entire multimodal transportation account--state and federal
30 appropriations are provided solely for implementing Engrossed
31 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
32 No. 5121 is not enacted by June 30, 2005, or if federal funds are not
33 received by March 1, 2006, for the purpose of implementing Engrossed
34 Substitute Senate Bill No. 5121, the amount provided in this subsection
35 shall lapse.

1 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

3	Motor Vehicle Account--State Appropriation	\$48,961,000
4	Motor Vehicle Account--Federal Appropriation	\$500,000
5	Multimodal Account--State Appropriation	\$250,000
6	TOTAL APPROPRIATION	\$49,711,000

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) \$300,000 of the motor vehicle account--state appropriation is
10 provided to the department in accordance with RCW 46.68.110(2) and
11 46.68.120(3) and shall be used by the department solely for the
12 purposes of providing contract services to the association of
13 Washington cities and Washington state association of counties for (a)
14 activities of the transportation permit efficiency and accountability
15 committee, including pilot mitigation banking activities, and (b) other
16 permit delivery efforts.

17 (2) \$1,475,000 of the motor vehicle account--state appropriation is
18 provided solely for the staffing activities of the transportation
19 permit efficiency and accountability committee.

20 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **ECONOMIC PARTNERSHIPS--PROGRAM K**

22	Motor Vehicle Account--State Appropriation	\$1,068,000
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23 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **HIGHWAY MAINTENANCE--PROGRAM M**

25	Motor Vehicle Account--State Appropriation	\$296,648,000
26	Motor Vehicle Account--Federal Appropriation	\$1,426,000
27	Motor Vehicle Account--Private/Local Appropriation	\$4,315,000
28	TOTAL APPROPRIATION	\$302,389,000

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) If portions of the appropriations in this section are required
32 to fund maintenance work resulting from major disasters not covered by
33 federal emergency funds such as fire, flooding, and major slides,
34 supplemental appropriations must be requested to restore state funding
35 for ongoing maintenance activities.

1 (2) The department shall request an unanticipated receipt for any
2 federal moneys received for emergency snow and ice removal and shall
3 place an equal amount of the motor vehicle account--state into
4 unallotted status. This exchange shall not affect the amount of
5 funding available for snow and ice removal.

6 (3) The department shall request an unanticipated receipt for any
7 private or local funds received for reimbursements of third party
8 damages that are in excess of the motor vehicle account--private/local
9 appropriation.

10 (4) Funding is provided for maintenance on the state system to
11 allow for a continuation of the level of service targets included in
12 the 2003-05 biennium. In delivering the program, the department should
13 concentrate on the following areas:

14 (a) Meeting or exceeding the target for structural bridge repair on
15 a statewide basis;

16 (b) Eliminating the number of activities delivered in the "f" level
17 of service at the region level;

18 (c) Reducing the number of activities delivered in the "d" level of
19 service by increasing the resources directed to those activities on a
20 statewide and region basis; and

21 (d) Evaluating, analyzing, and potentially redistributing resources
22 within and among regions to provide greater consistency in delivering
23 the program statewide and in achieving overall level of service
24 targets.

25 (5) The department shall develop and implement a plan to improve
26 work zone safety on a statewide basis. As part of the strategy
27 included in the plan, the department shall fund equipment purchases
28 using a portion of the money from the annual OTEF equipment purchasing
29 and replacement process. The department shall also identify and
30 evaluate statewide equipment needs (such as work zone safety equipment)
31 and prioritize any such needs on a statewide basis. Substitute
32 purchasing at the statewide level, when appropriate, shall be utilized
33 to meet those identified needs. The department must report to the
34 transportation committees of the legislature by December 1, 2005, on
35 the plan, and by December 1, 2006, on the status of implementing the
36 plan.

1 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

3	Motor Vehicle Account--State Appropriation	\$42,811,000
4	Motor Vehicle Account--Federal Appropriation	\$2,050,000
5	Motor Vehicle Account--Private/Local Appropriation	\$128,000
6	TOTAL APPROPRIATION	\$44,989,000

7 The appropriations in this section are subject to the following
8 conditions and limitations: \$4,400,000 of the motor vehicle account--
9 state appropriation is provided solely for low-cost enhancements. The
10 department shall give priority to low-cost enhancement projects that
11 improve safety or provide congestion relief. The department shall
12 prioritize low-cost enhancement projects on a statewide rather than
13 regional basis.

14 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

16	Motor Vehicle Account--State Appropriation	\$25,434,000
17	Motor Vehicle Account--Federal Appropriation	\$30,000
18	Puget Sound Ferry Operations Account--State	
19	Appropriation	\$1,321,000
20	Multimodal Transportation Account--State Appropriation	\$973,000
21	TOTAL APPROPRIATION	\$27,758,000

22 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

24	Motor Vehicle Account--State Appropriation	\$22,390,000
25	Motor Vehicle Account--Federal Appropriation	\$16,756,000
26	Multimodal Transportation Account--State Appropriation	\$2,267,000
27	Multimodal Transportation Account--Federal	
28	Appropriation	\$2,829,000
29	Multimodal Transportation Account--Private/Local	
30	Appropriation	\$100,000
31	Transportation Partnership Account--State	
32	Appropriation	\$6,000,000
33	TOTAL APPROPRIATION	\$50,342,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

1 (1) In order to qualify for state planning funds available to
2 regional transportation planning organizations under this section, a
3 regional transportation planning organization containing any county
4 with a population in excess of one million shall provide voting
5 membership on its executive board to any incorporated principal city of
6 a metropolitan statistical area within the region, as designated by the
7 United States census bureau, and to any incorporated city within the
8 region with a population in excess of eighty thousand as of July 1,
9 2005. Additionally, a regional transportation planning organization
10 described under this subsection shall conduct a review of its executive
11 board membership criteria to ensure that the criteria appropriately
12 reflects a true and comprehensive representation of the organization's
13 jurisdictions of significance within the region.

14 (2) \$900,000 of the multimodal transportation account--state
15 appropriation and \$4,000,000 of the transportation partnership
16 account--state appropriation are provided solely for implementing
17 Engrossed Substitute House Bill No. 2157 or Senate Bill No. 6089. This
18 amount is not intended to fund a tolling feasibility study provided for
19 in that legislation, since that funding is provided through
20 appropriation to the transportation commission. If neither Engrossed
21 Substitute House Bill No. 2157 or Senate Bill No. 6089 is enacted by
22 June 30, 2005, the amount provided in this subsection shall lapse.
23 None of this appropriation may be used for election expenses for an
24 election held before January 1, 2006.

25 (3) \$2,000,000 of the transportation partnership account--state
26 appropriation is provided solely for the costs of the regional
27 transportation investment district (RTID) election and department of
28 transportation project oversight. These funds are provided as a loan
29 to the RTID and shall be repaid to the state motor vehicle account
30 within one year following the certification of the election results
31 related to the RTID. If either Engrossed Substitute House Bill No.
32 2157 or Senate Bill No. 6089 are enacted by June 30, 2005, the amount
33 provided in this subsection shall lapse. None of this appropriation
34 may be used for election expenses for an election held before January
35 1, 2006.

36 (4) \$175,000 of the motor vehicle account--state appropriation is
37 provided to the department in accordance with RCW 46.68.110(2) and
38 46.68.120(3) and shall be used by the department to support the

1 processing and analysis of the backlog of city and county collision
2 reports by January 2006. The amount provided in this subsection shall
3 lapse if federal funds become available for this purpose.

4 (5) \$150,000 of the multimodal transportation account--state
5 appropriation is provided solely for the implementation of Engrossed
6 Second Substitute House Bill No. 1565. If Engrossed Second Substitute
7 House Bill No. 1565 is not enacted by June 30, 2005, the amount
8 provided in this subsection shall lapse.

9 (6) The department of transportation shall evaluate the number of
10 spaces available for long-haul truck parking relative to current and
11 projected future needs. The department of transportation shall also
12 explore options for augmenting the number of spaces available,
13 including, but not limited to, expanding state-owned rest areas or
14 modifying regulations governing the use of these facilities, utilizing
15 weigh stations and park and ride lots, and encouraging the expansion of
16 the private sector's role. Finally, the department shall explore the
17 utility of coordinating with neighboring states on long-haul truck
18 parking and evaluate methodologies for alleviating any air quality
19 issues relative to the issue. The department must report to the
20 transportation committees of the legislature by December 1, 2005, on
21 the options, strategies, and recommendations for long-haul truck
22 parking.

23 (7) \$50,000 of the multimodal transportation account--state
24 appropriation is provided solely for evaluating high-speed passenger
25 transportation facilities and services, including rail or magnetic
26 levitation transportation systems, to connect airports as a means to
27 more efficiently utilize airport capacity, as well as connect major
28 population and activity centers. This evaluation shall be coordinated
29 with the airport capacity and facilities market analysis conducted
30 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
31 the evaluation shall be submitted by July 1, 2007. If Engrossed
32 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
33 federal funds are not received by March 1, 2006, for the purpose of
34 implementing Engrossed Substitute Senate Bill No. 5121, the amount
35 provided in this subsection shall lapse.

36 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION--**

1 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

2 Motor Vehicle Account--State Appropriation \$45,030,000

3 Motor Vehicle Account--Federal Appropriation \$400,000

4 TOTAL APPROPRIATION \$45,430,000

5 The appropriations in this section are subject to the following

6 conditions and limitations:

7 (1) \$31,749,000 of the motor vehicle fund--state appropriation is

8 provided solely for the liabilities attributable to the department of

9 transportation. The office of financial management must provide a

10 detailed accounting of the revenues and expenditures of the self-

11 insurance fund to the transportation committees of the legislature on

12 December 31st and June 30th of each year.

13 (2) Payments in this section represent charges from other state

14 agencies to the department of transportation.

15 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT

16 DIVISION OF RISK MANAGEMENT FEES \$1,667,000

17 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE

18 AUDITOR \$1,017,000

19 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL

20 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED

21 MAIL SERVICES \$4,049,000

22 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF

23 PERSONNEL \$3,572,000

24 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY

25 PREMIUMS AND ADMINISTRATION \$31,749,000

26 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL

27 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,717,000

28 (g) FOR ARCHIVES AND RECORDS MANAGEMENT \$545,000

29 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS

30 ENTERPRISES \$1,114,000

31 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**

32 **PUBLIC TRANSPORTATION--PROGRAM V**

33 Multimodal Transportation Account--State

34 Appropriation \$62,269,000

35 Multimodal Transportation Account--Federal

36 Appropriation \$2,603,000

37 Multimodal Transportation Account--Private/Local

1	Appropriation	\$155,000
2	TOTAL APPROPRIATION	\$65,027,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$25,000,000 of the multimodal transportation account--state
6 appropriation is provided solely for a grant program for special needs
7 transportation provided by transit agencies and nonprofit providers of
8 transportation.

9 (a) \$5,500,000 of the amount provided in this subsection is
10 provided solely for grants to nonprofit providers of special needs
11 transportation. Grants for nonprofit providers shall be based on need,
12 including the availability of other providers of service in the area,
13 efforts to coordinate trips among providers and riders, and the cost
14 effectiveness of trips provided.

15 (b) \$19,500,000 of the amount provided in this subsection is
16 provided solely for grants to transit agencies to transport persons
17 with special transportation needs. To receive a grant, the transit
18 agency must have a maintenance of effort for special needs
19 transportation that is no less than the previous year's maintenance of
20 effort for special needs transportation. Grants for transit agencies
21 shall be prorated based on the amount expended for demand response
22 service and route deviated service in calendar year 2003 as reported in
23 the "Summary of Public Transportation - 2003" published by the
24 department of transportation. No transit agency may receive more than
25 thirty percent of these distributions. The first \$450,000 provided to
26 King county shall be used as follows:

27 (i) \$320,000 shall be used to provide electric buses, instead of
28 diesel buses, for service on Capital Hill in Seattle, Washington
29 through June 30, 2007;

30 (ii) \$130,000 shall be used to provide training for blind
31 individuals traveling through Rainier Valley and the greater Seattle
32 area. The training is to include destination training and retraining
33 due to the expected closure of the downtown bus tunnel and training on
34 how to use the Sound Transit light rail system.

35 (2) Funds are provided for the rural mobility grant program as
36 follows:

37 (a) \$7,000,000 of the multimodal transportation account--state
38 appropriation is provided solely for grants for those transit systems

1 serving small cities and rural areas as identified in the Summary of
2 Public Transportation - 2003 published by the department of
3 transportation. Noncompetitive grants must be distributed to the
4 transit systems serving small cities and rural areas in a manner
5 similar to past disparity equalization programs.

6 (b) \$7,000,000 of the multimodal transportation account--state
7 appropriation is provided solely to providers of rural mobility service
8 in areas not served or underserved by transit agencies through a
9 competitive grant process.

10 (3) \$5,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for a vanpool grant program for: (a)
12 Public transit agencies to add vanpools; and (b) incentives for
13 employers to increase employee vanpool use. The grant program for
14 public transit agencies will cover capital costs only; no operating
15 costs for public transit agencies are eligible for funding under this
16 grant program. No additional employees may be hired from the funds
17 provided in this section for the vanpool grant program, and supplanting
18 of transit funds currently funding vanpools is not allowed. Additional
19 criteria for selecting grants must include leveraging funds other than
20 state funds.

21 (4) \$3,000,000 of the multimodal transportation account--state
22 appropriation is provided solely for the city of Seattle for the
23 Seattle streetcar project on South Lake Union. Should the city receive
24 any state funds for this purpose during the 2003-05 or 2005-07
25 biennium, the amount provided in this subsection must be reduced
26 accordingly.

27 (5) \$1,200,000 of the multimodal transportation account--state
28 appropriation is provided solely for the implementation of Engrossed
29 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
30 2124 is not enacted by June 30, 2005, the amount provided in this
31 subsection shall lapse.

32 (6) Pursuant to the grant program established in Engrossed
33 Substitute House Bill No. 2124, the department shall issue a call for
34 projects and/or service proposals. Applications must be received by
35 the department by November 1, 2005, and November 1, 2006. The
36 department must submit a prioritized list for funding to the
37 transportation committees of the legislature that reflects the

1 department's recommendation, as well as, a list of all project or
2 service proposals received.

3 (7) \$2,000,000 of the multimodal transportation account--state
4 appropriation is provided solely for new tri-county connection service
5 for Island, Skagit, and Whatcom transit agencies.

6 (8) \$2,000,000 of the multimodal transportation account--state
7 appropriation is provided solely to King county as a state match to
8 obtain federal funding for a car sharing program for persons meeting
9 certain income or employment criteria.

10 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **MARINE--PROGRAM X**

12	Puget Sound Ferry Operations Account--State	
13	Appropriation	\$350,454,000
14	Multimodal Transportation Account--State	
15	Appropriation	\$3,660,000
16	TOTAL APPROPRIATION	\$354,114,000

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) \$57,928,000 of the total appropriation is provided solely for
20 auto ferry vessel operating fuel in the 2005-2007 biennium.

21 (2) The total appropriation provides for the compensation of ferry
22 employees. The expenditures for compensation paid to ferry employees
23 during the 2005-2007 biennium may not exceed \$222,356,000, plus a
24 dollar amount, as prescribed by the office of financial management,
25 that is equal to any insurance benefit increase granted general
26 government employees in excess of \$584.58 a month annualized per
27 eligible marine employee multiplied by the number of eligible marine
28 employees for fiscal year 2006 and \$584.58 a month annualized per
29 eligible marine employee multiplied by the number of eligible marine
30 employees for fiscal year 2007, a dollar amount as prescribed by the
31 office of financial management for costs associated with pension
32 amortization charges, and a dollar amount prescribed by the office of
33 financial management for salary increases during the 2005-2007
34 biennium. For the purposes of this section, the expenditures for
35 compensation paid to ferry employees shall be limited to salaries and
36 wages and employee benefits as defined in the office of financial

1 management's policies, regulations, and procedures named under objects
2 of expenditure "A" and "B" (7.2.6.2).

3 (3) \$1,116,000 of the Puget Sound ferry operations account--state
4 appropriation is provided solely for ferry security operations
5 necessary to comply with the ferry security plan submitted by the
6 Washington state ferry system to the United States coast guard. The
7 department shall track security costs and expenditures. Ferry security
8 operations costs shall not be included as part of the operational costs
9 that are used to calculate farebox recovery.

10 (4) The Washington state ferries must work with the department's
11 information technology division to implement an electronic fare system,
12 including the integration of the regional fare coordination system
13 (smart card). Each December and June, semi-annual updates must be
14 provided to the transportation committees of the legislature concerning
15 the status of implementing and completing this project, with updates
16 concluding the first December after full project implementation.

17 (5) The Washington state ferries shall continue to provide service
18 to Sidney, British Columbia.

19 (6) \$3,660,000 of the multimodal transportation account--state
20 appropriation is provided solely to provide passenger-only ferry
21 service. The ferry system shall continue passenger-only ferry service
22 from Vashon Island to Seattle through June 30, 2007. Beginning
23 September 1, 2005, ferry system management shall implement its
24 agreement with the Inlandboatmen's Union of the Pacific and the
25 International Organization of Masters, Mates and Pilots providing for
26 part-time passenger-only work schedules. Funds may not be spent to
27 implement the results of the passenger-only ferry study conducted by
28 the joint transportation committee provided in section 205 of this act
29 until approved by the legislature.

30 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
31 **RAIL--PROGRAM Y--OPERATING**

32 Multimodal Transportation Account--State
33 Appropriation \$36,420,000

34 The appropriation in this section is subject to the following
35 conditions and limitations:

36 (1) \$29,091,000 of the multimodal transportation account--state

1 appropriation is provided solely for the Amtrak service contract and
2 Talgo maintenance contract associated with providing and maintaining
3 the state-supported passenger rail service.

4 (2) \$2,750,000 of the multimodal transportation account--state
5 appropriation is provided solely for a new round trip rail service
6 between Seattle and Portland beginning July 1, 2006.

7 (3) No AMTRAK Cascade runs may be eliminated.

8 (4) \$200,000 of the multimodal transportation account--state
9 appropriation is provided solely for the produce railcar program. The
10 department is encouraged to implement the produce railcar program by
11 maximizing private investment.

12 NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
13 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

14	Motor Vehicle Account--State Appropriation	\$7,947,000
15	Motor Vehicle Account--Federal Appropriation	\$2,597,000
16	Multimodal Transportation Account--State Appropriation	\$211,000
17	TOTAL APPROPRIATION	\$10,755,000

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$211,000 of the motor vehicle account--
20 state appropriation and \$211,000 of the multimodal transportation
21 account--state appropriation are provided solely for the state's
22 contribution to county and city studies of flood hazards in association
23 with interstate highways. First priority shall be given to threats
24 along the I-5 corridor.

25 **TRANSPORTATION AGENCIES--CAPITAL**

26 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

27 State Patrol Highway Account--State Appropriation \$2,801,000

28 The appropriation in this section is subject to the following
29 conditions and limitations:

30 (1) \$1,535,000 of the appropriation is provided solely for the
31 Shelton training academy domestic water and wastewater treatment
32 project.

33 (2) \$1,266,000 of the appropriation is provided solely for minor
34 works projects.

1 (3) The Washington state patrol, through the director of fire
2 protection, shall study and make recommendations to the legislature
3 regarding the need for improvements and additions to the state fire
4 training academy located at North Bend. The patrol may include in its
5 recommendations information regarding capital improvements, additional
6 staffing and salary requirements, and technology improvements. The
7 study and recommendations shall be submitted to the legislature by
8 December 1, 2005.

9 NEW SECTION. **Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

10 Rural Arterial Trust Account--State Appropriation	\$67,933,000
11 Motor Vehicle Account--State Appropriation	\$355,000
12 County Arterial Preservation Account--State	
13 Appropriation	\$30,392,000
14 TOTAL APPROPRIATION	\$98,680,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: \$355,000 of the motor vehicle account--
17 state appropriation is provided for county ferries as set forth in RCW
18 47.56.725(4).

19 NEW SECTION. **Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

20 Urban Arterial Trust Account--State Appropriation	\$99,425,000
21 Small City Preservation and Sidewalk	
22 Account--State Appropriation	\$2,000,000
23 Transportation Improvement Account--State	
24 Appropriation	\$103,601,000
25 TOTAL APPROPRIATION	\$205,026,000

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) The transportation improvement account--state appropriation
29 includes \$14,143,000 in proceeds from the sale of bonds authorized in
30 RCW 47.26.500. The transportation improvement board may authorize the
31 use of current revenues available to the agency in lieu of bond
32 proceeds for any part of the state appropriation.

33 (2) \$2,000,000 of the small city preservation and sidewalk
34 account--state appropriation is provided to fund the provisions of
35 chapter 83, Laws of 2005 (Substitute Senate Bill No. 5775).

1 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

3 Motor Vehicle Account--State Appropriation \$2,492,000

4 The appropriation in this section is subject to the following
5 conditions and limitations:

6 (1) \$601,000 of the motor vehicle account--state appropriation is
7 provided solely for the statewide administration.

8 (2) \$632,000 of the motor vehicle account--state appropriation is
9 provided solely for regional minor projects.

10 (3) \$224,000 of the motor vehicle account--state appropriation is
11 provided solely for designing the replacement of the existing outdated
12 maintenance facility in Ephrata.

13 (4) \$219,000 of the motor vehicle account--state appropriation is
14 provided solely for the designing of the northwest regional maintenance
15 complex in Seattle.

16 (5) \$833,000 of the motor vehicle account--state appropriation is
17 provided solely for the Olympic region headquarters project.

18 (a) The department of transportation is authorized to use
19 certificates of participation for the financing of the Olympic region
20 project in the amount of \$34,874,000 plus financing expenses and
21 required reserves pursuant to chapter 39.94 RCW.

22 (b) The Washington state department of transportation may utilize
23 the design-build process in accordance with chapter 39.10 RCW for the
24 Olympic region project. If the design-build process is used, it may be
25 developed in partnership with the department of general administration.

26 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--**
27 **IMPROVEMENTS--PROGRAM I**

28 Transportation 2003 Account (Nickel Account)--State

29 Appropriation \$1,175,004,000

30 Motor Vehicle Account--State Appropriation \$70,359,000

31 Motor Vehicle Account--Federal Appropriation \$229,036,000

32 Motor Vehicle Account--Private/Local Appropriation \$33,893,000

33 Special Category C Account--State Appropriation \$3,419,000

34 Tacoma Narrows Toll Bridge Account Appropriation \$272,329,000

35 Transportation Partnership Account--State

36 Appropriation \$519,786,000

37 TOTAL APPROPRIATION \$2,303,826,000

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) The entire transportation 2003 account (nickel account)
4 appropriation and the entire transportation partnership account
5 appropriation are provided solely for the projects and activities as
6 listed by fund, project and amount in LEAP Transportation Document
7 2005-6, Highway Improvement Program (I) as developed April 24, 2005.
8 However, limited transfers of allocations between projects may occur
9 for those amounts listed subject to the conditions and limitations in
10 section 603 of this act.

11 (a) Within the amount provided in this subsection, \$500,000 of the
12 transportation 2003 account (nickel account) appropriation is provided
13 for right-of-way acquisition for the SR 502 widening from Battleground
14 to I-5. The department must develop a right-of-way acquisition plan in
15 conjunction with the city of Battleground that conforms with the city's
16 comprehensive growth management plan. No funds may be expended on
17 this project until the city of Battleground and the department of
18 transportation have reached an agreement on the right-of-way
19 acquisition plan.

20 (b) Within the amounts provided in this subsection, \$5,000,000 of
21 the transportation partnership account--state appropriation is provided
22 solely for project 109040S: I-90/Seattle to Mercer Island - Two way
23 transit/HOV. Expenditure of these funds is contingent upon the
24 development of an access plan that provides equitable and dependable
25 access for I-90 Mercer Island exit and entry.

26 (c) Within the amounts provided in this subsection, \$500,000 of the
27 transportation partnership account--state appropriation is provided
28 solely for a west Olympia access study, to complete an access study for
29 state route 101/west Olympia.

30 (d) Within the amounts provided in this subsection, \$800,000 of the
31 transportation partnership account--state appropriation is provided
32 solely for an SR 534 access point decision report.

33 (e) Within the amounts provided in this subsection, \$500,000 of the
34 transportation partnership account--state appropriation is provided
35 solely for an eastern Washington freight corridor study, to evaluate
36 the development of a freight corridor from Osoyoos, Canada to Mesa,
37 Franklin county.

1 (f) Within the amounts provided within this subsection,
2 \$435,000,000 of the transportation partnership account--state
3 appropriation is provided solely for project 509009B: I-90 Snoqualmie
4 Pass East - Hyak to Keechelus dam. However, if the preferred
5 alternative selected for this project results in a lower total project
6 cost, the remaining funds may be used for concrete rehabilitation on
7 I-90 in the vicinity of this project.

8 (2) The motor vehicle account--state appropriation includes
9 \$53,000,000 in proceeds from the sale of bonds authorized by RCW
10 47.10.843. The transportation commission may authorize the use of
11 current revenues available to the department of transportation in lieu
12 of bond proceeds for any part of the state appropriation.

13 (3) The department shall not commence construction on any part of
14 the SR 520 bridge project until agreements have been reached with the
15 incorporated towns or cities that represent the communities affected by
16 the SR 520 project. The agreements must provide reasonable assurance
17 that no further degradation will occur to the citizens' current use and
18 enjoyment of their properties as a result of repairs and improvements
19 made to the SR 520 bridge and its connecting roadways. Such assurances
20 may be achieved through engineering design choices, mitigation
21 measures, or a combination of both.

22 (4) The transportation partnership account--state appropriation
23 includes \$400,000,000 in proceeds from the sale of bonds authorized by
24 Substitute House Bill No. 2311 (or the version as enacted into law).
25 The transportation commission may authorize the use of current revenues
26 available to the department of transportation in lieu of bond proceeds
27 for any part of the state appropriation.

28 (5) The Tacoma Narrows toll bridge account--state appropriation
29 includes \$257,016,000 in proceeds from the sale of bonds authorized by
30 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
31 appropriation includes \$15,313,000 in unexpended proceeds from the
32 January 2003 bond sale authorized in RCW 47.10.843 for the Tacoma
33 Narrows bridge project.

34 (6) The transportation 2003 account (nickel account)--state
35 appropriation includes \$940,000,000 in proceeds from the sale of bonds
36 authorized by chapter 147, Laws of 2003. The transportation commission
37 may authorize the use of current revenues available to the department

1 of transportation in lieu of bond proceeds for any part of the state
2 appropriation.

3 (7) To manage some projects more efficiently, federal funds may be
4 transferred from program Z to program I and replaced with state funds
5 in a dollar-for-dollar match. Fund transfers authorized under this
6 subsection shall not affect project prioritization status.
7 Appropriations shall initially be allotted as appropriated in this act.
8 The department shall not transfer funds as authorized under this
9 subsection without approval of the transportation commission and the
10 director of financial management. The department shall submit a report
11 on those projects receiving fund transfers to the transportation
12 committees of the senate and house of representatives by December 1,
13 2006.

14 (8) The department shall, on a quarterly basis beginning July 1,
15 2005, provide to the legislature reports providing the status on each
16 project in the project lists submitted pursuant to this act and on any
17 additional projects for which the department has expended funds during
18 the 2005-07 fiscal biennium. The department shall work with the
19 transportation committees of the legislature to agree on report
20 formatting and elements. Elements shall include, but not be limited
21 to, project scope, schedule, and costs. The department shall also
22 provide the information required under this subsection via the
23 transportation executive information systems (TEIS).

24 (9) The department of transportation shall conduct an analysis of
25 the causes of traffic congestion on I-5 in the vicinity of Fort Lewis
26 and develop recommendations for alleviating the congestion. The
27 department must report to the transportation committees of the
28 legislature by December 1, 2005, on its analysis and recommendations
29 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

30 (10) The department of transportation is authorized to proceed with
31 the SR 519 Intermodal Access project if the city of Seattle has not
32 agreed to a project configuration or design by July 1, 2006.

33 (11) The department of transportation shall remove any median
34 barriers on South Kent Des Moines Road between I-5 and Pacific Highway
35 that prevent vehicles from making a left turn across the roadway.

36 (12) \$13,000,000 of the transportation 2003 account (nickel
37 account)--state appropriation and \$5,000,000 of the transportation
38 partnership account--state appropriation are provided solely for

1 construction of a new interchange on SR 522 to provide direct access to
2 the University of Washington Bothell/Cascadia community college joint
3 campus. This appropriation assumes an additional \$8,000,000 will be
4 provided in the 2007-09 biennium from the transportation partnership
5 account.

6 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **PRESERVATION--PROGRAM P**

8	Transportation 2003 Account (Nickel Account)--State	
9	Appropriation	\$10,622,000
10	Motor Vehicle Account--State Appropriation	\$76,824,000
11	Motor Vehicle Account--Federal Appropriation	\$404,360,000
12	Motor Vehicle Account--Private/Local Appropriation	\$6,656,000
13	Puyallup Tribal Settlement Account--State	
14	Appropriation	\$11,000,000
15	Transportation Partnership Account--State	
16	Appropriation	\$139,533,000
17	TOTAL APPROPRIATION	\$648,995,000

18 The appropriations in this section are subject to the following
19 conditions and limitations:

20 (1) The entire transportation 2003 account (nickel account)
21 appropriation and the entire transportation partnership account
22 appropriation are provided solely for the projects and activities as
23 listed by fund, project and amount in LEAP Transportation Document
24 2005-6, Highway Preservation Program (P) as developed April 24, 2005.
25 However, limited transfers of allocations between projects may occur
26 for those amounts listed subject to the conditions and limitations in
27 section 603 of this act.

28 (a) Within the amounts provided in this subsection, \$139,033,000 of
29 the transportation partnership account--state appropriation is provided
30 solely for implementation of structures preservation (P2) projects.

31 (b) Within the amounts provided in this subsection, \$500,000 of the
32 transportation partnership account--state appropriation is provided
33 solely for implementation of other facilities (P3) projects.

34 (2) \$11,000,000 of the Puyallup tribal settlement account--state
35 appropriation is provided solely for mitigation costs associated with
36 the Murray Morgan/11st Street Bridge demolition. The department may
37 negotiate with the city of Tacoma for the purpose of transferring

1 ownership of the Murray Morgan/11th Street Bridge to the city. The
2 department may use the Puyallup tribal settlement account
3 appropriation, as well as any funds appropriated in the current
4 biennium and planned in future biennia for the demolition and
5 mitigation for the demolition of the bridge to rehabilitate or replace
6 the bridge, if agreed to by the city. In no event shall the
7 department's participation exceed \$26,500,000 and no funds may be
8 expended unless the city of Tacoma agrees to take ownership of the
9 bridge in its entirety and provide that the payment of these funds
10 extinguishes any real or implied agreements regarding future
11 expenditures on the bridge.

12 (3) \$11,590,000 of the motor vehicle account--state appropriation,
13 \$95,299,000 of the motor vehicle account--federal appropriation, and
14 \$113,591,000 of the transportation partnership account--state
15 appropriation are provided solely for the Hood Canal bridge project.

16 (4) The motor vehicle account--state appropriation includes
17 \$530,000 in proceeds from the sale of bonds authorized in RCW 47.10.761
18 and 47.10.762 for emergency purposes.

19 (5) The department of transportation shall continue to implement
20 the lowest life cycle cost planning approach to pavement management
21 throughout the state to encourage the most effective and efficient use
22 of pavement preservation funds. Emphasis should be placed on
23 increasing the number of roads addressed on time and reducing the
24 number of roads past due.

25 (6) To manage some projects more efficiently, federal funds may be
26 transferred from program Z to program P and replaced with state funds
27 in a dollar-for-dollar match. Fund transfers authorized under this
28 subsection shall not affect project prioritization status.
29 Appropriations shall initially be allotted as appropriated in this act.
30 The department shall not transfer funds as authorized under this
31 subsection without approval of the transportation commission and the
32 director of financial management. The department shall submit a report
33 on those projects receiving fund transfers to the transportation
34 committees of the senate and house of representatives by December 1,
35 2006.

36 (7) The department shall, on a quarterly basis beginning July 1,
37 2005, provide to the legislature reports providing the status on each
38 project in the project lists submitted pursuant to this act and on any

1 additional projects for which the department has expended funds during
 2 the 2005-07 fiscal biennium. The department shall work with the
 3 transportation committees of the legislature to agree on report
 4 formatting and elements. Elements shall include, but not be limited
 5 to, project scope, schedule, and costs. The department shall also
 6 provide the information required under this subsection via the
 7 transportation executive information systems (TEIS).

8 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
 9 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

10	Motor Vehicle Account--State Appropriation	\$17,519,000
11	Motor Vehicle Account--Federal Appropriation	\$15,068,000
12	Motor Vehicle Account--Local Appropriation	\$108,000
13	TOTAL APPROPRIATION	\$32,695,000

14 The appropriations in this section are subject to the following
 15 conditions and limitations: The motor vehicle account--state
 16 appropriation includes \$11,255,000 for state matching funds for
 17 federally selected competitive grant or congressional earmark projects
 18 other than the commercial vehicle information systems and network.
 19 These moneys shall be placed into reserve status until such time as
 20 federal funds are secured that require a state match.

21 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
 22 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

23	Puget Sound Capital Construction Account--State	
24	Appropriation	\$153,184,000
25	Puget Sound Capital Construction Account--Federal	
26	Appropriation	\$59,967,000
27	Puget Sound Capital Construction Account--Private/Local	
28	Appropriation	\$26,000
29	Multimodal Transportation Account--State Appropriation . .	\$13,249,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation	\$34,987,000
32	TOTAL APPROPRIATION	\$261,413,000

33 The appropriations in this section are provided for improving the
 34 Washington state ferry system, including, but not limited to, vessel
 35 construction, major and minor vessel preservation, and terminal

1 preservation, construction, and improvements. The appropriations in
2 this section are subject to the following conditions and limitations:

3 (1) The Puget Sound capital construction account--state
4 appropriation includes \$72,000,000 in proceeds from the sale of bonds
5 authorized by RCW 47.10.843 for vessel and terminal acquisition, major
6 and minor improvements, and long lead time materials acquisition for
7 the Washington state ferries. The transportation commission may
8 authorize the use of current revenues available to the motor vehicle
9 account in lieu of bond proceeds for any part of the state
10 appropriation.

11 (2) The multimodal transportation account--state appropriation
12 includes \$10,249,000 in proceeds from the sale of bonds authorized by
13 RCW 47.10.867. The transportation commission may authorize the use of
14 current revenues available to the department of transportation in lieu
15 of bond proceeds from any part of the state appropriation.

16 (3) \$15,617,000 of the Puget Sound capital construction account--
17 state appropriation is provided solely for the Eagle Harbor Terminal
18 Preservation project.

19 (4) The entire transportation 2003 account (nickel account)
20 appropriation and \$10,249,000 of the multimodal transportation
21 account--state appropriation are provided solely for the projects and
22 activities as listed by fund, project and amount in LEAP Transportation
23 Document 2005-6, Ferries Construction Program (W) as developed April
24 24, 2005. However, limited transfers of allocations between projects
25 may occur for those amounts listed subject to the conditions and
26 limitations in section 603 of this act.

27 (5) The department shall, on a quarterly basis beginning July 1,
28 2005, provide to the legislature reports providing the status on each
29 project in the project lists submitted pursuant to this act and on any
30 additional projects for which the department has expended funds during
31 the 2005-07 fiscal biennium. Elements shall include, but not be
32 limited to, project scope, schedule, and costs. The department shall
33 also provide the information required under this subsection via the
34 transportation executive information systems (TEIS).

35 (6) \$3,000,000 of the multimodal transportation account--state
36 appropriation is provided solely to implement approved recommendations
37 of the stakeholder task force convened to study the most reliable and
38 cost-effective means of providing passenger-only ferry service. The

1 funds provided in this subsection shall be placed in reserve by the
2 office of financial management. The funds may not be released until
3 approved by the legislature.

4 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **RAIL--PROGRAM Y--CAPITAL**

6	Essential Rail Assistance Account--State Appropriation . . .	\$250,000
7	Multimodal Transportation Account--State	
8	Appropriation	\$67,158,000
9	Multimodal Transportation Account--Private/Local	
10	Appropriation	\$8,287,000
11	Multimodal Transportation Account--Federal	
12	Appropriation	\$11,966,000
13	TOTAL APPROPRIATION	\$88,161,000

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) The multimodal transportation account--state appropriation
17 includes \$33,435,000 in proceeds from the sale of bonds and \$830,000 in
18 unexpended bond proceeds authorized by RCW 47.10.867. The
19 transportation commission may authorize the use of current revenues
20 available to the department of transportation in lieu of bond proceeds
21 for any part of the state appropriation.

22 (2) If federal block grant funding for freight or passenger rail is
23 received, the department shall consult with the transportation
24 committees of the legislature prior to spending the funds on additional
25 projects.

26 (3)(a) \$67,158,000 of the multimodal transportation account--state
27 appropriation, \$11,966,000 of the multimodal transportation account--
28 federal appropriation, \$8,287,000 of the multimodal transportation
29 account--local appropriation, and \$250,000 of the essential rail
30 assistance account are provided solely for the projects and activities
31 as listed by fund, project and amount in LEAP Transportation Document
32 2005-2, Rail Capital Program (Y) as developed April 23, 2005. However,
33 limited transfers of allocations between projects may occur for those
34 amounts listed subject to the conditions and limitations in section 603
35 of this act.

36 (b) Within the amounts provided in this subsection, \$6,500,000 of
37 the multimodal transportation account--state appropriation is provided

1 solely for the two commuter rail projects listed in the LEAP
2 Transportation Document 2005-6, Rail Capital Program (Y) as developed
3 April 24, 2005.

4 (4) If the department issues a call for projects, applications must
5 be received by the department by November 1, 2005, and November 1,
6 2006.

7 (5) \$50,000 of the multimodal transportation account--state
8 appropriation is provided solely for a study of eastern Skagit county
9 freight rail. The study shall examine the feasibility of restoring
10 portions of freight rail line to the towns of Lyman, Hamilton, and
11 Concrete. The study must also identify existing and potential
12 industrial sites available for development and redevelopment, and the
13 freight rail service needs of the identified industrial sites.

14 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

16	Highway Infrastructure Account--State Appropriation	\$207,000
17	Highway Infrastructure Account--Federal Appropriation	\$1,602,000
18	Motor Vehicle Account--Federal Appropriation	\$18,221,000
19	Motor Vehicle Account--State Appropriation	\$6,702,000
20	Freight Mobility Investment Account--State	
21	Appropriation	\$12,000,000
22	Multimodal Transportation Account--State	
23	Appropriation	\$36,002,000
24	TOTAL APPROPRIATION	\$74,734,000

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) To manage some projects more efficiently, federal funds may be
28 transferred from program Z to programs I and P and state funds shall be
29 transferred from programs I and P to program Z to replace those federal
30 funds in a dollar-for-dollar match. Fund transfers authorized under
31 this subsection shall not affect project prioritization status.
32 Appropriations shall initially be allotted as appropriated in this act.
33 The department may not transfer funds as authorized under this
34 subsection without approval of the transportation commission. The
35 department shall submit a report on those projects receiving fund
36 transfers to the transportation committees of the senate and house of
37 representatives by December 1, 2006.

1 (2) The department shall, on a quarterly basis, provide status
2 reports to the legislature on the delivery of projects as outlined in
3 the project lists distributed with this act, and on any additional
4 projects for which the department has expended funds during the 2005-07
5 fiscal biennium. The department shall work with the transportation
6 committees of the legislature to agree on report formatting and
7 elements. For projects funded by new revenue in the 2003 and 2005
8 transportation packages, reporting elements shall include, but not be
9 limited to, project scope, schedule, and costs. Other projects may be
10 reported on a programmatic basis. The department shall also provide
11 the information required under this subsection via the transportation
12 executive information system (TEIS).

13 (3) The multimodal transportation account--state appropriation
14 includes \$6,000,000 in proceeds from the sale of bonds authorized by
15 RCW 47.10.867. The transportation commission may authorize the use of
16 current revenues available to the department of transportation in lieu
17 of bond proceeds for any part of the state appropriation.

18 (4) \$3,545,000 of the multimodal transportation account--state
19 appropriation is reappropriated and provided solely to fund the
20 multiphase cooperative project with the state of Oregon to dredge the
21 Columbia River. The amount provided in this subsection shall lapse
22 unless the state of Oregon appropriates a dollar-for-dollar match to
23 fund its share of the project.

24 (5) \$274,000 of the motor vehicle account--state appropriation is
25 reappropriated and provided solely for additional traffic and
26 pedestrian safety improvements near schools. The highways and local
27 programs division within the department of transportation shall
28 administer this program. The department shall review all projects
29 receiving grant awards under this program at least semiannually to
30 determine whether the projects are making satisfactory progress. Any
31 project that has been awarded traffic and pedestrian safety improvement
32 grant funds, but does not report activity on the project within one
33 year of grant award should be reviewed by the department to determine
34 whether the grant should be terminated. The department must promptly
35 close out grants when projects have been completed, and identify where
36 unused grant funds remain because actual project costs were lower than
37 estimated in the grant award. The department shall expeditiously
38 extend new grant awards to qualified projects when funds become

1 available either because grant awards have been rescinded for lack of
2 sufficient project activity or because completed projects returned
3 excess grant funds upon project closeout.

4 (6) The motor vehicle account--state appropriation includes
5 \$905,000 in unexpended proceeds from the sale of bonds authorized by
6 RCW 47.10.843.

7 (7) \$867,000 of the multimodal transportation account--state
8 appropriation is reappropriated and provided solely to support the safe
9 routes to school program.

10 (8) \$18,221,000 of the motor vehicle account--federal appropriation
11 is provided solely for the local freight capital projects in progress
12 identified in this subsection. The specific funding listed is provided
13 solely for the respective projects: SR 397 Ainsworth Ave. Grade
14 Crossing, \$5,180,000; Colville Alternate Truck Route, \$2,000,000; S.
15 228th Street Extension and Grade Separation, \$6,500,000; Bigelow Gulch
16 Road-Urban Boundary to Argonne Rd., \$2,000,000; Granite Falls Alternate
17 Route, \$1,791,000; and Pacific Hwy. E./Port of Tacoma Road to
18 Alexander, \$750,000.

19 (9) \$3,400,000 of the motor vehicle account--state appropriation is
20 provided solely for the local freight capital projects in progress
21 identified in this subsection. The specific funding listed is provided
22 solely for the respective projects: Duwamish Intelligent
23 Transportation Systems (ITS), \$2,520,000; Port of Kennewick/Piert Road,
24 \$520,000; SR 397 Ainsworth Ave. Grade Crossing, \$360,000.

25 (10) \$6,000,000 of the multimodal account--state appropriation is
26 provided solely for the local freight 'D' street grade separation
27 project.

28 (11) The department must issue a call for pedestrian safety
29 projects, such as safe routes to schools and transit, and bicycle and
30 pedestrian paths. Applications must be received by the department by
31 November 1, 2005, and November 1, 2006. The department shall identify
32 cost-effective projects, and submit a prioritized list to the
33 legislature for funding by December 15th of each year. Preference will
34 be given to projects that provide a local match. The grant recipients
35 may only be governmental entities.

36 (12) \$19,540,000 of the multimodal transportation account--state
37 appropriation and \$12,000,000 of the freight investment account--state
38 appropriation are provided solely for the projects and activities as

1 listed by fund, project and amount in LEAP Transportation Document
2 2005-6, Local Programs (Z) as developed April 24, 2005. However,
3 limited transfers of allocations between projects may occur for those
4 amounts listed subject to the conditions and limitations in section 603
5 of this act.

6 (13) \$870,000 of the multimodal transportation account--state
7 appropriation is provided solely for the Yakima Avenue, 9th Street to
8 Front Street, pedestrian safety improvement project.

9 **TRANSFERS AND DISTRIBUTIONS**

10 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
11 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
12 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
13 **TRANSPORTATION FUND REVENUE**

14	Highway Bond Retirement Account Appropriation	\$354,913,000
15	Nondebt-Limit Reimbursable Account Appropriation	\$8,775,000
16	Ferry Bond Retirement Account Appropriation	\$39,010,000
17	Transportation Improvement Board Bond Retirement	
18	Account--State Appropriation	\$30,899,000
19	Motor Vehicle Account--State Appropriation	\$2,562,000
20	Transportation Improvement Account--State Appropriation . . .	\$105,000
21	Multimodal Transportation Account--State Appropriation . . .	\$303,000
22	Transportation 2003 Account (Nickel Account)	
23	Appropriation	\$19,177,000
24	TOTAL APPROPRIATION	\$455,744,000

25 **NEW SECTION. Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
26 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
27 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

28	Motor Vehicle Account--State Appropriation	\$283,000
29	Transportation Improvement Account--State Appropriation . . .	\$13,000
30	Multimodal Transportation Account--State Appropriation	\$96,000
31	Transportation 2003 Account (Nickel Account)--State	
32	Appropriation	\$2,400,000
33	Transportation Partnership Account--State Appropriation . .	\$2,800,000
34	TOTAL APPROPRIATION	\$5,592,000

1 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
2 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
3 **MVFT BONDS AND TRANSFERS**

4 (1) Motor Vehicle Account--State Reappropriation:
5 For transfer to the Tacoma Narrows toll bridge
6 account \$257,016,000

7 The department of transportation is authorized to sell up to
8 \$257,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
9 Narrows bridge project. Proceeds from the sale of the bonds shall be
10 deposited into the motor vehicle account. The department of
11 transportation shall inform the treasurer of the amount to be
12 deposited.

13 (2) Motor Vehicle Account--State Appropriation:
14 For transfer to the Puget Sound capital construction
15 account \$72,000,000

16 The department of transportation is authorized to sell up to
17 \$72,000,000 in bonds authorized by RCW 47.10.843 for vessel and
18 terminal acquisition, major and minor improvements, and long lead-time
19 materials acquisition for the Washington state ferries.

20 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
21 **FOR DISTRIBUTION**

22 Motor Vehicle Account Appropriation for
23 motor vehicle fuel tax distributions to cities
24 and counties \$450,757,000

25 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

26 Motor Vehicle Account--State
27 Appropriation: For motor vehicle fuel tax
28 refunds and transfers \$820,769,000

29 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **TRANSFERS**

31 (1) RV Account--State Appropriation:
32 For transfer to the Motor Vehicle Account--State \$2,000,000

33 (2) Motor Vehicle Account--State Appropriation:
34 For transfer to Puget Sound Capital Construction

1 Account--State \$73,000,000
 2 (3) Highway Safety Account--State Appropriation:
 3 For transfer to the Motor Vehicle Account--State \$10,000,000
 4 (4) Motor Vehicle Account--State Appropriation:
 5 For transfer to the Puget Sound Ferry Operations
 6 Account--State \$19,087,000
 7 (5) Motor Vehicle Account--State Appropriation:
 8 For transfer to the Transportation Partnership
 9 Account--State \$51,372,000
 10 (6) Highway Safety Account--State Appropriation:
 11 For transfer to the Multimodal Transportation
 12 Account--State \$21,170,000
 13 (7) Transportation Partnership Account--State Appropriation:
 14 For transfer to the Small City Pavement and Sidewalk
 15 Account--State \$2,000,000
 16 (8) Transportation Partnership Account--State Appropriation:
 17 For transfer to the Transportation Improvement
 18 Account--State \$5,000,000
 19 (9) Transportation Partnership Account--State Appropriation:
 20 For transfer to the Rural Arterial Trust Account--State . . \$3,000,000
 21 (10) Technology Account--State Appropriation:
 22 For transfer to the Motor Vehicle Account--State \$2,500,000
 23 (11) Motor Vehicle Account--State Appropriation:
 24 For transfer to the State Patrol Highway Account--
 25 State \$1,406,000
 26 (12) Motor Vehicle Account--State Appropriation:
 27 For transfer to the Transportation 2003 Account
 28 (Nickel Account)--State \$461,000
 29 (13) Multimodal Transportation Account--State Appropriation:
 30 For transfer to the Transportation Partnership
 31 Account--State \$29,400,000

32 The transfers identified in this section are subject to the
 33 following conditions and limitations:

34 (a) The department of transportation shall only transfer funds in
 35 subsection (2) of this section up to the level provided, on an as-
 36 needed basis.

37 (b) The amount identified in subsection (3) of this section may not
 38 include any revenues collected as passenger fares.

1 service, and exempt employees under the jurisdiction of the personnel
2 resources board or the director of personnel, as applicable.

3 (3) The appropriations are also sufficient to fund a 3.2% salary
4 increase effective September 1, 2005, for ferry system employees and
5 for general government, legislative, and judicial employees exempt from
6 merit system rules whose maximum salaries are not set by the commission
7 on salaries for elected officials.

8 (4) The appropriations for cost of living adjustments provide for
9 a 1.6% salary increase effective July 1, 2006, until June 30, 2007, for
10 all state employees represented by a collective bargaining unit under
11 the personnel system reform act of 2002. In addition, appropriation is
12 provided for a 1.6% increase effective September 1, 2006, for all
13 classified employees, except those represented by a collective
14 bargaining unit under the personnel system reform act of 2002, and
15 except the certificated employees covered by the provisions of
16 Initiative Measure No. 732. Also included are employees in the
17 Washington management service, and exempt employees under the
18 jurisdiction of the personnel resources board or the director of
19 personnel, as applicable. The appropriation is also sufficient to fund
20 a 1.6% salary increase effective September 1, 2006, until June 30,
21 2007, for ferry system employees and for general government,
22 legislative, and judicial employees exempt from merit system rules
23 whose maximum salaries are not set by the commission on salaries for
24 elected officials.

25 (5)(a) No salary increase may be paid under this section to any
26 person whose salary has been Y-rated pursuant to rules adopted by the
27 personnel resources board or the director of personnel, as applicable.

28 (b) The average salary increases paid under this section to agency
29 officials whose maximum salaries are established by the committee on
30 agency official salaries shall not exceed the average increases
31 provided under subsection (3) of this section.

32 NEW SECTION. **Sec. 502. COMPENSATION--INSURANCE BENEFITS.** For
33 those funds that support noncapital FTE employees, agency
34 appropriations in sections 101 through 408 of this act provide funding
35 for insurance benefits subject to the following conditions and
36 limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan, shall not exceed \$663.00 per eligible employee
4 for fiscal year 2006. For fiscal year 2007, the monthly employer
5 funding rate shall not exceed \$744.00 per eligible employee covered by
6 the health insurance collective bargaining agreement reached between
7 the governor and health insurance coalition under the personnel system
8 reform act of 2002 or \$618.00 per eligible ferry system employee and
9 general government employee not covered under that agreement.

10 (b) In order to achieve the level of funding provided for health
11 benefits, the public employees' benefits board shall require any or all
12 of the following: Employee premium copayments, increases in
13 point-of-service cost sharing, the implementation of managed
14 competition, or other changes to benefits consistent with RCW
15 41.05.065.

16 (c) The health care authority shall deposit any moneys received on
17 behalf of the uniform medical plan as a result of rebates on
18 prescription drugs, audits of hospitals, subrogation payments, or any
19 other moneys recovered as a result of prior uniform medical plan claims
20 payments, into the public employees' and retirees' insurance account to
21 be used for insurance benefits. Such receipts shall not be used for
22 administrative expenditures.

23 NEW SECTION. **Sec. 503. CONTRIBUTIONS TO RETIREMENT SYSTEMS.** For
24 those funds that support noncapital FTE employees, agency
25 appropriations in sections 101 through 408 of this act provide funding
26 for agency savings in the cost of other compensation items provided at
27 the pension rates as set forth in House Bill No. 1043 and Engrossed
28 Substitute House Bill No. 1044.

29 NEW SECTION. **Sec. 504. COMPENSATION ADJUSTMENT FOR SALARY**
30 **SURVEY.** For those funds that support noncapital FTE employees, agency
31 appropriations in sections 101 through 408 of this act provide funding
32 for compensation adjustments related to the salary survey.

33 NEW SECTION. **Sec. 505. COMPENSATION ADJUSTMENT FOR**
34 **CLASSIFICATION REVISIONS.** For those funds that support noncapital FTE

1 employees, agency appropriations in sections 101 through 408 of this
2 act provide funding for the compensation adjustment related to the
3 classification revisions.

4 **IMPLEMENTING PROVISIONS**

5 NEW SECTION. **Sec. 601. INFORMATION SYSTEMS PROJECTS.** Agencies
6 shall comply with the following requirements regarding information
7 systems projects when specifically directed to do so by sections 101
8 through 611 of this act.

9 (1) Agency planning and decisions concerning information technology
10 shall be made in the context of its information technology portfolio.
11 "Information technology portfolio" means a strategic management
12 approach in which the relationships between agency missions and
13 information technology investments can be seen and understood, such
14 that: Technology efforts are linked to agency objectives and business
15 plans; the impact of new investments on existing infrastructure and
16 business functions are assessed and understood before implementation;
17 and agency activities are consistent with the development of an
18 integrated, nonduplicative statewide infrastructure.

19 (2) Agencies shall use their information technology portfolios in
20 making decisions on matters related to the following:

21 (a) System refurbishment, acquisitions, and development efforts;

22 (b) Setting goals and objectives for using information technology
23 in meeting legislatively-mandated missions and business needs;

24 (c) Assessment of overall information processing performance,
25 resources, and capabilities;

26 (d) Ensuring appropriate transfer of technological expertise for
27 the operation of any new systems developed using external resources;
28 and

29 (e) Progress toward enabling electronic access to public
30 information.

31 (3) Each project will be planned and designed to take optimal
32 advantage of Internet technologies and protocols. Agencies shall
33 ensure that the project is in compliance with the architecture,
34 infrastructure, principles, policies, and standards of digital
35 government as maintained by the information services board.

1 (4) The agency shall produce a feasibility study for information
2 technology projects at the direction of the information services board
3 and in accordance with published department of information services
4 policies and guidelines. At a minimum, such studies shall include a
5 statement of: (a) The purpose or impetus for change; (b) the business
6 value to the agency, including an examination and evaluation of
7 benefits, advantages, and cost; (c) a comprehensive risk assessment
8 based on the proposed project's impact on both citizens and state
9 operations, its visibility, and the consequences of doing nothing; (d)
10 the impact on agency and statewide information infrastructure; and (e)
11 the impact of the proposed enhancements to an agency's information
12 technology capabilities on meeting service delivery demands.

13 (5) The agency shall produce a comprehensive management plan for
14 each project. The plan or plans shall address all factors critical to
15 successful completion of each project. The plan(s) shall include, but
16 is not limited to, the following elements: A description of the
17 problem or opportunity that the information technology project is
18 intended to address; a statement of project objectives and assumptions;
19 a definition and schedule of phases, tasks, and activities to be
20 accomplished; and the estimated cost of each phase. The planning for
21 the phased approach shall be such that the business case justification
22 for a project needs to demonstrate how the project recovers cost or
23 adds measurable value or positive cost benefit to the agency's business
24 functions within each development cycle.

25 (6) The agency shall produce quality assurance plans for
26 information technology projects. Consistent with the direction of the
27 information services board and the published policies and guidelines of
28 the department of information services, the quality assurance plan
29 shall address all factors critical to successful completion of the
30 project and successful integration with the agency and state
31 information technology infrastructure. At a minimum, quality assurance
32 plans shall provide time and budget benchmarks against which project
33 progress can be measured, a specification of quality assurance
34 responsibilities, and a statement of reporting requirements. The
35 quality assurance plans shall set out the functionality requirements
36 for each phase of a project.

37 (7) A copy of each feasibility study, project management plan, and
38 quality assurance plan shall be provided to the department of

1 information services, the office of financial management, and
2 legislative fiscal committees. The plans and studies shall demonstrate
3 a sound business case that justifies the investment of taxpayer funds
4 on any new project, an assessment of the impact of the proposed system
5 on the existing information technology infrastructure, the disciplined
6 use of preventative measures to mitigate risk, and the leveraging of
7 private-sector expertise as needed. Authority to expend any funds for
8 individual information systems projects is conditioned on the approval
9 of the relevant feasibility study, project management plan, and quality
10 assurance plan by the department of information services and the office
11 of financial management.

12 (8) Quality assurance status reports shall be submitted to the
13 department of information services, the office of financial management,
14 and legislative fiscal committees at intervals specified in the
15 project's quality assurance plan.

16 NEW SECTION. **Sec. 602.** The department of transportation may
17 transfer federal funds for state funds within the preservation and
18 improvement programs if funded projects are eligible to use additional
19 federal funds and the scope of the project is not increased. The
20 department shall not transfer funds as authorized under this subsection
21 without approval of the director of financial management. A report of
22 the transfers will be submitted on October 1st of each fiscal year to
23 the senate and house of representatives transportation committees.

24 NEW SECTION. **Sec. 603.** (1) The transportation commission may
25 authorize a transfer of spending allocation within the appropriation
26 provided and between projects funded with transportation 2003 account
27 (nickel account) appropriations or the transportation partnership
28 account appropriations to manage project spending and efficiently
29 deliver all projects in the respective program under the following
30 conditions and limitations:

31 (a) Transfers from a project may be made if the funds allocated to
32 the project are in excess of the amount needed to complete the project;

33 (b) Transfers from a project may be made if the project is
34 experiencing unavoidable expenditure delays;

35 (c) Transfers from a project may not be made as a result of the

1 reduction of the scope of a project, nor shall a transfer be made to
2 support increases in the scope of a project;

3 (d) Each transfer between projects may only occur if the commission
4 finds that any resulting change will not hinder the completion of the
5 projects approved by the legislature; and

6 (e) Transfers may not occur to projects not identified on the
7 applicable project list.

8 (2) A report of the transfers shall be submitted on October 1st of
9 each fiscal year to the senate and house of representatives
10 transportation committees.

11 NEW SECTION. **Sec. 604.** If House Bill No. 1254 is enacted by July
12 1, 2005, then on June 30, 2007, the remaining unexpended fund balance
13 in the bicycle and pedestrian safety account shall be deposited into
14 the Share the Road account established in House Bill No. 1254.

15 NEW SECTION. **Sec. 605.** The department of transportation shall
16 eliminate 131 middle management positions by June 30, 2007. The middle
17 management reduction, however, shall not impact the work force required
18 to manage and support the delivery of the 2003 nickel package and 2005
19 transportation partnership package.

20 NEW SECTION. **Sec. 606.** Based on the anticipated outcomes of the
21 tolling study, to be conducted under section 206 of this act, the
22 legislature intends that tolls be charged to offset or partially offset
23 the costs for the Alaskan Way Viaduct, State Route 520 Bridge
24 replacement, and widening of Interstate 405 including a managed lanes
25 concept.

26 NEW SECTION. **Sec. 607.** The department of transportation, in
27 conjunction with the office of financial management, must implement the
28 governmental accounting standards board's (GASB) statement number 34.
29 The financial reporting value of the state's highway system must be
30 adjusted for any new additions to the system. The biennial reporting
31 of the condition of the system must be related to the funding levels of
32 maintaining the system. The department must maintain a current
33 inventory of the state's highway system and estimate the actual cost to
34 maintain and preserve the assets. In addition to the GASB statement

1 34, the department of transportation with the office of financial
2 management's assistance must establish an asset replacement value for
3 the state's highway system. A report must be submitted to the
4 transportation committees of the senate and the house of
5 representatives each April. During 2005, the speaker of the house of
6 representatives and the president of the senate must select one member
7 from each caucus to work with the office of financial management, the
8 joint legislative audit and review committee, the department of
9 transportation, and the department of general administration to
10 identify areas in state government where the GASB philosophy could be
11 implemented. The purpose of this effort is to enhance decision making
12 that will result in strategic long-term investment decisions in
13 transportation capital project management.

14 NEW SECTION. **Sec. 608.** During the 2005-07 biennium, the director
15 of general administration, through the office of state procurement,
16 shall:

17 (1) In consultation with the state investment board and the state
18 treasurer's office, explore and implement strategies designed to reduce
19 the overall cost of fuel and mitigate the impact of market fluctuations
20 and pressure on both short-term and long-term fuel costs. The
21 department of general administration shall contract for these services.
22 These fuel cost mitigation strategies shall be made available to all
23 state agencies, institutions of higher education, and political
24 subdivisions that purchase fuel through the office of state
25 procurement. These strategies may include but are not limited to
26 futures contracts, swap transactions, option contracts, costless
27 collars, and long-term storage.

28 (2) Recommend a mechanism for funding these fuel cost mitigation
29 strategies that recognizes that the benefit accrues across state and
30 local governments. To pay for these services, the director may also
31 explore negotiated incentives with contracted providers.

32 (3) Report to the fiscal committees of the legislature each
33 December 15th regarding the types of contracts established to mitigate
34 fuel costs, the amounts of fuel covered by the contracts, and the cost
35 mitigation results. The reports shall also include recommendations for
36 improving or continuing the fuel cost mitigation program.

1 **Sec. 609.** RCW 81.84.020 and 2003 c 373 s 5 are each amended to
2 read as follows:

3 (1) Upon the filing of an application the commission shall give
4 reasonable notice to the department, affected cities, counties, and
5 public transportation benefit areas and any common carrier which might
6 be adversely affected, of the time and place for hearing on such
7 application. The commission shall have power after hearing, to issue
8 the certificate as prayed for, or to refuse to issue it, or to issue it
9 for the partial exercise only of the privilege sought, and may attach
10 to the exercise of the rights granted by said certificate such terms
11 and conditions as in its judgment the public convenience and necessity
12 may require; but the commission shall not have power to grant a
13 certificate to operate between districts and/or into any territory
14 prohibited by RCW 47.60.120 or already served by an existing
15 certificate holder, unless such existing certificate holder has failed
16 or refused to furnish reasonable and adequate service or has failed to
17 provide the service described in its certificate or tariffs after the
18 time period allowed to initiate service has elapsed: PROVIDED, A
19 certificate shall be granted when it shall appear to the satisfaction
20 of the commission that the commercial ferry was actually operating in
21 good faith over the route for which such certificate shall be sought,
22 on January 15, 1927: PROVIDED, FURTHER, That in case two or more
23 commercial ferries shall upon said date have been operating vessels
24 upon the same route, or between the same districts the commission shall
25 determine after public hearing whether one or more certificates shall
26 issue, and in determining to whom a certificate or certificates shall
27 be issued, the commission shall consider all material facts and
28 circumstances including the prior operation, schedules, and services
29 rendered by either of the ferries, and in case more than one
30 certificate shall issue, the commission shall fix and determine the
31 schedules and services of the ferries to which the certificates are
32 issued to the end that duplication of service be eliminated and public
33 convenience be furthered.

34 (2) Before issuing a certificate, the commission shall determine
35 that the applicant has the financial resources to operate the proposed
36 service for at least twelve months, based upon the submission by the
37 applicant of a pro forma financial statement of operations. Issuance
38 of a certificate shall be determined upon, but not limited to, the

1 following factors: Ridership and revenue forecasts; the cost of
2 service for the proposed operation; an estimate of the cost of the
3 assets to be used in providing the service; a statement of the total
4 assets on hand of the applicant that will be expended on the proposed
5 operation; and a statement of prior experience, if any, in such field
6 by the applicant. The documentation required of the applicant under
7 this section shall comply with the provisions of RCW 9A.72.085.

8 (3) Subsection (2) of this section does not apply to an application
9 for a certificate that is pending as of July 25, 1993.

10 (4) In granting a certificate for passenger-only ferries and
11 determining what conditions to place on the certificate, the commission
12 shall consider and give substantial weight to the effect of its
13 decisions on public agencies operating, or eligible to operate,
14 passenger-only ferry service.

15 (5) Until (~~March 1, 2005~~) July 1, 2006, the commission shall not
16 accept or consider an application for passenger-only ferry service
17 serving any county in the Puget Sound(~~(, unless the public~~
18 ~~transportation benefit area authority or ferry district serving that~~
19 ~~county, by resolution, agrees to the application)) area with a
20 population of over one million people. Applications for passenger-only
21 ferry service serving any county in the Puget Sound area with a
22 population of over one million pending before the commission as of the
23 effective date of this section shall be held in abeyance and not
24 considered before July 1, 2006.~~

25 **2003-05 BIENNIUM**

26 **GENERAL GOVERNMENT AGENCIES-OPERATING**

27 **Sec. 700.** 2004 c 229 s 101 (uncodified) is amended to read as
28 follows:

29 **FOR THE MARINE EMPLOYEES COMMISSION**

30 Puget Sound Ferry Operations Account--State

31 Appropriation ((\$365,000))
32 \$375,000

33 **TRANSPORTATION AGENCIES--OPERATING**

1 **Sec. 701.** 2003 c 360 s 201 (uncodified) is amended to read as
2 follows:

3 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

4 Highway Safety Account--State Appropriation	\$2,017,000
5 Highway Safety Account--Federal Appropriation	\$15,744,000
6 School Zone Safety Account--State Appropriation	\$3,059,000
7 <u>Bicycle and Pedestrian Safety Account--State</u>	
8 <u>Appropriation</u>	<u>\$15,000</u>
9 TOTAL APPROPRIATION	((\$20,820,000))
10	<u>\$20,835,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) The commission may oversee up to four pilot projects
14 implementing the use of traffic safety cameras to detect failure to
15 stop at railroad crossings, stoplights, and school zones.

16 (a) In order to ensure adequate time in the 2003-05 biennium to
17 evaluate the effectiveness of the pilot program, any projects
18 authorized by the commission must be authorized by December 31, 2003.

19 (b) If a county or city has established an authorized automated
20 traffic safety camera program under this section, the compensation paid
21 to the manufacturer or vendor of the equipment used must be based only
22 upon the value of the equipment and services provided or rendered in
23 support of the system, and may not be based upon a portion of the fine
24 or civil penalty imposed or the revenue generated by the equipment.

25 (c) The traffic safety commission shall use the following
26 guidelines to administer the program:

27 (i) Traffic safety cameras may take pictures of the vehicle and
28 vehicle license plate only, and only while an infraction is occurring;

29 (ii) The law enforcement agency of the city or county government
30 shall plainly mark the locations where the automated traffic
31 enforcement system is used by placing signs on street locations that
32 clearly indicate to a driver that he or she is entering a zone where
33 traffic laws are enforced by an automated traffic enforcement system;

34 (iii) Cities and counties using traffic safety cameras must provide
35 periodic notice by mail to its citizens indicating the zones in which
36 the traffic safety cameras will be used;

37 (iv) Notices of infractions must be mailed to the registered owner
38 of a vehicle within fourteen days of the infraction occurring;

1 (v) The owner of the vehicle is not responsible for the violation
2 if the owner of the vehicle, within fourteen days of receiving
3 notification of the violation, mails to the issuing law enforcement
4 agency, a declaration under penalty of perjury, stating that the
5 vehicle involved was, at the time, stolen or in the care, custody, or
6 control of some person other than the registered owner, or any other
7 extenuating circumstances;

8 (vi) Infractions detected through the use of traffic safety cameras
9 are not part of the registered owner's driving record under RCW
10 46.52.101 and 46.52.120;

11 (vii) If a notice of infraction is sent to the registered owner and
12 the registered owner is a rental car business, the infraction will be
13 dismissed against the business if it mails to the issuing agency,
14 within fourteen days of receiving the notice, a declaration under
15 penalty of perjury of the name and known mailing address of the
16 individual driving or renting the vehicle when the infraction occurred.
17 If the business is unable to determine who was driving or renting the
18 vehicle at the time the infraction occurred, the business must sign a
19 declaration under penalty of perjury to this effect. The declaration
20 must be mailed to the issuing agency within fourteen days of receiving
21 the notice of traffic infraction. Timely mailing of this declaration
22 to the issuing agency relieves a rental car business of any liability
23 under this section for the notice of infraction. A declaration form
24 suitable for this purpose must be included with each automated traffic
25 infraction notice issued, along with instructions for its completion
26 and use;

27 (viii) For purposes of the 2003-05 biennium pilot projects,
28 infractions generated by the use of traffic safety cameras are exempt
29 from the provisions of RCW 3.46.120, 3.50.100, and 35.20.220, and must
30 be processed in the same manner as parking violations; and

31 (ix) By June 30, 2005, the traffic safety commission shall provide
32 a report to the legislature regarding the use, public acceptance,
33 outcomes, and other relevant issues regarding traffic safety cameras
34 demonstrated by the pilot projects.

35 (2) \$210,000 of the highway safety account--state appropriation is
36 provided solely for continuing the five existing DUI/traffic safety
37 task forces that receive federal project funding that expires during

1 the 2003-05 biennium. However, the appropriation in this subsection
2 may only be expended for a task force when the federal funding for that
3 task force has expired.

4 (3)(a) \$1,555,000 of the school zone safety account--state
5 appropriation is provided solely as matching funds for the following
6 school safety enhancement projects, as proposed by local agencies,
7 schools, and tribal governments in response to the department of
8 transportation's highways and local programs request for information
9 for potential projects to be financed under Referendum No. 51:

10	Agency	Project Title
11	Cheney	School Crosswalk Improvement Project
12	Skokomish Indian Tribe	Skokomish School Safety Sidewalk Program
13	Brier	37th Pl SW & 233rd Pl SW Sidewalk
14	Sunnyside	Lincoln Ave Sidewalks
15	Lynnwood	Olympic View Dr - 76th Ave SW to 169th St SW
16	Steilacoom	Cherrydale Elementary School Safety Enhancement
17	Yakima	W Valley School Zone Flashers
18	Camas SD	SR 500 at 15th St Interchange
19	Seattle	Meadowbrook Playfield - NE 105th St
20	Vancouver	Franklin ES Sidewalk Improvements

21 (b) If one or more of the projects under this subsection cannot be
22 completed or no longer seeks state matching funds, the following
23 projects may be substituted in order of priority:

24	Agency	Project Title
25	Davenport	Davenport Sixth St School Sidewalk
26	Edmonds	96th Ave W Pedestrian Improvements
27	Mountlake Terrace	223rd St SW - 44th Ave W to Cedar Way Elementary
28	Yakima	Englewood/Powerhouse Intersection Safety Project

29 (c) The highways and local programs division within the department
30 of transportation shall provide assistance to the commission in
31 administering this program.

32 (d) The legislature intends to tie funding to specific projects
33 only for the 2003-05 biennium.

1 **Sec. 702.** 2004 c 229 s 207 (uncodified) is amended to read as
2 follows:

3 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

4 State Patrol Highway Account--State Appropriation	((\$69,799,000))
	<u>\$70,951,000</u>
6 State Patrol Highway Account--Private/Local	
7 Appropriation	\$1,290,000
8 TOTAL APPROPRIATION	((\$71,089,000))
	<u>\$72,241,000</u>

9

10 The appropriations in this section are subject to the following
11 conditions and limitations: Under the direction of the legislative
12 auditor, the patrol shall update the pursuit vehicle life-cycle cost
13 model developed in the 1998 Washington state patrol performance audit
14 (JLARC Report 99-4). The patrol shall utilize the updated model as a
15 basis for determining maintenance and other cost impacts resulting from
16 the increase to pursuit vehicle mileage above 110 thousand miles in the
17 2003-05 biennium. The patrol shall submit a report, that includes
18 identified cost impacts, to the transportation committees of the senate
19 and house of representatives by December 31, 2003.

20 **Sec. 703.** 2004 c 229 s 209 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**

23 Marine Fuel Tax Refund Account--State Appropriation	\$2,000
24 Motorcycle Safety Education Account--State	
25 Appropriation	\$144,000
26 Wildlife Account--State Appropriation	\$55,000
27 Highway Safety Account--State Appropriation	((\$11,656,000))
	<u>\$11,556,000</u>
29 Highway Safety Account--Federal Appropriation	\$6,000
30 Highway Safety Account--Local Appropriation	\$60,000
31 Motor Vehicle Account--State Appropriation	\$6,285,000
32 DOL Services Account--State Appropriation	\$1,220,000
33 TOTAL APPROPRIATION	((\$19,428,000))
	<u>\$19,328,000</u>

34

35 The appropriations in this section are subject to the following
36 conditions and limitations:

1 (1) The department shall submit a report to the transportation
2 committees of the legislature detailing the progress made in
3 transitioning off of the Unisys system by December 1, 2003, and each
4 December 1 thereafter.

5 (2) (~~(\$151,000)~~) \$51,000 of the highway safety account--state
6 appropriation is provided solely for the implementation of Third
7 Substitute Senate Bill No. 5412. Within the amount provided, the
8 department of licensing shall prepare to implement a "one-to-one"
9 biometric matching system that compares the biometric identifier
10 submitted to the individual applicant's record. The authority to
11 expend funds provided under this subsection is subject to compliance
12 with the provisions under section 504 of this act. If Third Substitute
13 Senate Bill No. 5412 is not enacted by June 30, 2004, the amount
14 provided in this subsection shall lapse.

15 **Sec. 704.** 2004 c 229 s 212 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
18 **C**

19 Motor Vehicle Account--State Appropriation	((\$56,236,000))
	<u>\$53,522,000</u>
21 Motor Vehicle Account--Federal Appropriation	((\$5,163,000))
	<u>\$6,654,000</u>
23 Puget Sound Ferry Operations Account--State	
24 Appropriation	\$7,038,000
25 Multimodal Transportation Account--State Appropriation	\$363,000
26 TOTAL APPROPRIATION	((\$68,800,000))
	<u>\$67,577,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1) \$850,000 of the motor vehicle account--state appropriation is
31 provided for the continued maintenance and support of the
32 transportation executive information system (TEIS). The TEIS shall be
33 enhanced during the 2004 interim to shift towards a monitoring and
34 reporting system capable of tracking and reporting on major project
35 milestones and measurements. The department shall work with the
36 legislature to identify and define meaningful milestones and measures
37 to be used in monitoring the scope, schedule, and cost of projects.

1 (2)(a) (~~(\$2,959,000)~~) \$1,118,000 of the motor vehicle account--
 2 state appropriation and (~~(\$2,963,000)~~) \$4,454,000 of the motor vehicle
 3 account--federal appropriation are provided solely for implementation
 4 of a new revenue collection system, including the integration of the
 5 regional fare coordination system (smart card), at the Washington state
 6 ferries. By December 1st of each year, an annual update must be
 7 provided to the legislative transportation committee concerning the
 8 status of implementing and completing this project.

9 (b) \$200,000 of the Puget Sound ferry operation account--state
 10 appropriation is provided solely for implementation of the smart card
 11 program.

12 (3) The department shall contract with the department of
 13 information services to conduct a survey that identifies possible
 14 opportunities and benefits associated with siting and use of technology
 15 and wireless facilities located on state right of way authorized by RCW
 16 47.60.140. The department shall submit a report regarding the survey
 17 to the appropriate legislative committees by December 1, 2004.

18 **Sec. 705.** 2004 c 229 s 213 (uncodified) is amended to read as
 19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
 21 **AND CONSTRUCTION--PROGRAM D--OPERATING**

22 Motor Vehicle Account--State Appropriation	((\$30,981,000))
23	<u>\$30,515,000</u>

24 **Sec. 706.** 2004 c 229 s 215 (uncodified) is amended to read as
 25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
 27 **SUPPORT--PROGRAM H**

28 Motor Vehicle Account--State Appropriation	((\$49,056,000))
29	<u>\$48,056,000</u>
30 Motor Vehicle Account--Federal Appropriation	\$400,000
31 TOTAL APPROPRIATION	((\$49,456,000))
32	<u>\$48,456,000</u>

33 The appropriations in this section are subject to the following
 34 conditions and limitations:

35 (1) (~~(\$14,310,000)~~) \$13,985,000 of the motor vehicle account--state
 36 appropriation is provided solely for the staffing, activities, and

1 overhead of the department's environmental affairs office. This
2 funding is provided in lieu of funding provided in sections 305 and 306
3 of this act.

4 (2) \$3,100,000 of the motor vehicle account--state appropriation is
5 provided solely for the staffing and activities of the transportation
6 permit efficiency and accountability committee. The committee shall
7 develop a model national environmental policy act (NEPA) tribal
8 consultation process for federal transportation aid projects related to
9 the preservation of cultural, historic, and environmental resources.
10 The process shall ensure that Tribal participation in the NEPA
11 consultation process is conducted pursuant to treaty rights, federal
12 law, and state statutes, consistent with their expectations for
13 protection of such resources.

14 (3) \$300,000 of the motor vehicle account--state appropriation is
15 provided to the department in accordance with RCW 46.68.110(2) and
16 46.68.120(3) and shall be used by the department solely for the
17 purposes of providing contract services to the association of
18 Washington cities and Washington state association of counties to
19 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
20 2003 for activities of the transportation permit efficiency and
21 accountability committee.

22 **Sec. 707.** 2003 c 360 s 218 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
25 Motor Vehicle Account--State Appropriation (~~(\$1,011,000)~~)
26 \$996,000

27 **Sec. 708.** 2004 c 229 s 218 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
30 **OPERATING**
31 Motor Vehicle Account--State Appropriation (~~(\$38,924,000)~~)
32 \$38,338,000
33 Motor Vehicle Account--Private/Local Appropriation \$125,000
34 TOTAL APPROPRIATION (~~(\$39,049,000)~~)
35 \$38,463,000

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) A maximum of \$8,800,000 of the motor vehicle account--state
4 appropriation may be expended for the incident response program,
5 including the service patrols. The department and the Washington state
6 patrol shall continue to consult and coordinate with private sector
7 partners, such as towing companies, media, auto, insurance and trucking
8 associations, and the legislative transportation committees to ensure
9 that limited state resources are used most effectively. No funds shall
10 be used to purchase tow trucks.

11 (2) \$4,400,000 of the motor vehicle account--state appropriation is
12 provided solely for low-cost enhancements. The department shall give
13 priority to low-cost enhancement projects that improve safety or
14 provide congestion relief. The department shall prioritize low-cost
15 enhancement projects on a statewide rather than regional basis.

16 (3) At a frequency determined by the department, the interstate-5
17 variable message signs shall display a message advising slower traffic
18 to keep right.

19 (4) The appropriation authority under this section includes
20 spending authority to administer the motorist information sign panel
21 program. The department shall establish the annual fees charged for
22 these services so that all costs to administer this program are
23 recovered; in no event, however, shall the department charge more than:

24 (a) \$1,000 per business per location on freeways and expressways
25 with average daily trips greater than 80,000;

26 (b) \$750 per business per location on freeways and expressways with
27 average daily trips less than 80,000; and

28 (c) \$400 per business per location on conventional highways.

29 **Sec. 709.** 2004 c 229 s 219 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
32 **SUPPORT--PROGRAM S**

33 Motor Vehicle Account--State Appropriation	((\$24,579,000))
34	<u>\$24,079,000</u>
35 Motor Vehicle Account--Federal Appropriation	\$636,000
36 Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
37 Multimodal Transportation Account--State Appropriation . . .	\$973,000

1 TOTAL APPROPRIATION ((~~\$27,281,000~~))
2 \$26,781,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$627,000 of the motor vehicle account--state appropriation is
6 provided solely for the implementation of Substitute Senate Bill No.
7 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
8 2003, the amount provided in this subsection shall lapse. The agency
9 may transfer between programs funds provided in this subsection.

10 (2) The department shall transfer at no cost to the Washington
11 state patrol the title to the Walla Walla colocation facility.

12 **Sec. 710.** 2004 c 229 s 220 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
15 **AND RESEARCH--PROGRAM T**

16 Motor Vehicle Account--State Appropriation ((~~\$29,494,000~~))
17 \$24,194,000

18 Motor Vehicle Account--Federal Appropriation \$14,814,000

19 Multimodal Transportation Account--State
20 Appropriation \$1,521,000

21 Multimodal Transportation Account--Federal Appropriation . \$2,000,000

22 TOTAL APPROPRIATION ((~~\$47,829,000~~))
23 \$42,529,000

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) \$3,800,000 of the motor vehicle account--state appropriation is
27 provided solely for a study of regional congestion relief solutions for
28 Puget Sound (including state route 169), Spokane, and Vancouver. The
29 study must include proposals to alleviate congestion consistent with
30 population and land use expectations under the growth management act,
31 and must include measurement of all modes of transportation.

32 (2) \$2,000,000 of the motor vehicle account--state appropriation is
33 provided solely for additional assistance to support regional
34 transportation planning organizations and long-range transportation
35 planning efforts. As a condition of receiving this support, a regional
36 transportation planning organization containing any county with a
37 population in excess of one million shall provide voting membership on

1 its executive board to any incorporated principal city of a
2 metropolitan statistical area within the region, as designated by the
3 United States census bureau.

4 (3) (~~(\$3,000,000)~~) \$1,200,000 of the motor vehicle account--state
5 appropriation is provided solely for the costs of the regional
6 transportation investment district (RTID) election and department of
7 transportation project oversight. These funds are provided as a loan
8 to the RTID and shall be repaid to the state motor vehicle account
9 within one year following the certification of the election results
10 related to the RTID.

11 (4) \$650,000 of the motor vehicle account--state appropriation is
12 provided to the department in accordance with RCW 46.68.110(2) and
13 46.68.120(3) and shall be used by the department to support the
14 processing and analysis of the backlog of city and county collision
15 reports.

16 (5) The department shall contribute to the report required in
17 section 208(1) of this act in the form of an analysis of the cost
18 impacts incurred by the department as the result of the policy
19 implemented in section 208(1) of this act. The analysis shall contrast
20 overtime costs charged by the patrol prior to July 1, 2003, with
21 contract costs for similar services after July 1, 2003.

22 (6) \$60,000 of the distribution under RCW 46.68.110(2) and
23 46.68.120(3) is provided solely to the department for the Washington
24 strategic freight transportation analysis.

25 (7) \$500,000 of the multimodal transportation account--state
26 appropriation is provided solely for contracting with the department of
27 natural resources to develop data systems for state submerged lands
28 that can be shared with other governmental agencies and that can
29 support the state vision for ecoregional planning. The data to be
30 shared shall include, but not limited to, tabular and geospatial data
31 describing public land ownership, distributions of native plants,
32 marine and aquatic species and their habitats, physical attributes,
33 aquatic ecosystems, and specially designated conservation or
34 environmentally sensitive areas.

35 **Sec. 711.** 2004 c 229 s 222 (uncodified) is amended to read as
36 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V	
2	Multimodal Transportation Account--State	
3	Appropriation	((\$47,057,000))
4		<u>\$46,757,000</u>
5	Multimodal Transportation Account--Federal Appropriation .	\$2,574,000
6	Multimodal Transportation Account--Private/Local	
7	Appropriation	\$155,000
8	TOTAL APPROPRIATION	((\$49,786,000))
9		<u>\$49,486,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) \$18,000,000 of the multimodal transportation account--state
13 appropriation is provided solely for a grant program for special needs
14 transportation provided by transit agencies and nonprofit providers of
15 transportation.

16 (a) \$4,000,000 of the amount provided in this subsection is
17 provided solely for grants to nonprofit providers of special needs
18 transportation. Grants for nonprofit providers shall be based on need,
19 including the availability of other providers of service in the area,
20 efforts to coordinate trips among providers and riders, and the cost
21 effectiveness of trips provided.

22 (b) \$14,000,000 of the amount provided in this subsection is
23 provided solely for grants to transit agencies to transport persons
24 with special transportation needs. To receive a grant, the transit
25 agency must have a maintenance of effort for special needs
26 transportation that is no less than the previous year's maintenance of
27 effort for special needs transportation. Grants for transit agencies
28 shall be prorated based on the amount expended for demand response
29 service and route deviated service in calendar year 2001 as reported in
30 the "Summary of Public Transportation - 2001" published by the
31 department of transportation. No transit agency may receive more than
32 thirty percent of these distributions.

33 (2) \$1,500,000 of the multimodal transportation account--state
34 appropriation is provided solely for grants to implement section 9 of
35 Engrossed Substitute House Bill No. 2228.

36 (3) Funds are provided for the rural mobility grant program as
37 follows:

1 (a) \$6,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for grants for those transit systems
3 serving small cities and rural areas as identified in the Summary of
4 Public Transportation - 2001 published by the department of
5 transportation. Noncompetitive grants must be distributed to the
6 transit systems serving small cities and rural areas in a manner
7 similar to past disparity equalization programs.

8 (b) \$4,000,000 of the multimodal transportation account--state
9 appropriation is provided solely to providers of rural mobility service
10 in areas not served or underserved by transit agencies through a
11 competitive grant process.

12 (4) \$4,000,000 of the multimodal transportation account--state
13 appropriation is provided solely for a vanpool grant program for: (a)
14 Public transit agencies to add vanpools; and (b) incentives for
15 employers to increase employee vanpool use. The grant program for
16 public transit agencies will cover capital costs only; no operating
17 costs for public transit agencies are eligible for funding under this
18 grant program. No additional employees may be hired for the vanpool
19 grant program, and supplanting of transit funds currently funding
20 vanpools is not allowed. Additional criteria for selecting grants will
21 include leveraging funds other than state funds. The commute trip
22 reduction task force shall determine the cost effectiveness of the
23 grants, including vanpool system coordination, regarding the use of the
24 funds.

25 (5) \$100,000 of the multimodal transportation account--state
26 appropriation is provided solely for the commute trip reduction program
27 for Benton county.

28 (6) \$3,000,000 of the multimodal transportation account--state
29 appropriation is provided to the city of Seattle for the Seattle
30 streetcar project on South Lake Union.

31 (7) \$500,000 of the multimodal transportation account--state
32 appropriation is provided solely to King county as a state match to
33 obtain federal funding for a car sharing program.

34 **Sec. 712.** 2004 c 229 s 223 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

37 Puget Sound Ferry Operations Account--State

1	Appropriation	((\$312,490,000))
2		<u>\$328,430,000</u>
3	Multimodal Transportation Account--State	
4	Appropriation	\$5,120,000
5	TOTAL APPROPRIATION	((\$317,610,000))
6		<u>\$333,550,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) The appropriation is based on the budgeted expenditure of
10 ((~~\$35,348,000~~)) \$51,048,000 for vessel operating fuel in the 2003-2005
11 biennium. If the actual cost of fuel is less than this budgeted
12 amount, the excess amount may not be expended. If the actual cost
13 exceeds this amount, the department shall request a supplemental
14 appropriation.

15 (2) The appropriation provides for the compensation of ferry
16 employees. The expenditures for compensation paid to ferry employees
17 during the 2003-2005 biennium may not exceed \$208,935,700, plus a
18 dollar amount, as prescribed by the office of financial management,
19 that is equal to any insurance benefit increase granted general
20 government employees in excess of \$495.30 a month annualized per
21 eligible marine employee multiplied by the number of eligible marine
22 employees for fiscal year 2004 and \$567.67 a month annualized per
23 eligible marine employee multiplied by the number of eligible marine
24 employees for fiscal year 2005, a dollar amount as prescribed by the
25 office of financial management for costs associated with pension
26 amortization charges, and a dollar amount prescribed by the office of
27 financial management for salary increases during the 2003-2005
28 biennium. For the purposes of this section, the expenditures for
29 compensation paid to ferry employees shall be limited to salaries and
30 wages and employee benefits as defined in the office of financial
31 management's policies, regulations, and procedures named under objects
32 of expenditure "A" and "B" (7.2.6.2).

33 The prescribed salary increase or decrease dollar amount that shall
34 be allocated from the governor's compensation appropriations is in
35 addition to the appropriation contained in this section and may be used
36 to increase or decrease compensation costs, effective July 1, 2003, and
37 thereafter, as established in the 2003-2005 general fund operating
38 budget.

1 (3) \$4,234,000 of the multimodal transportation account--state
2 appropriation and \$800,000 of the Puget Sound ferry operations
3 account--state appropriation are provided solely for operating costs
4 associated with the Vashon to Seattle passenger-only ferry. The
5 Washington state ferries will develop a plan to increase passenger-only
6 farebox recovery to at least forty percent by July 1, 2003, with an
7 additional goal of eighty percent, through increased fares, lower
8 operation costs, and other cost-saving measures as appropriate. In
9 order to implement the plan, ferry system management is authorized to
10 negotiate changes in work hours (requirements for split shift work),
11 but only with respect to operating passenger-only ferry service, to be
12 included in a collective bargaining agreement in effect during the
13 2003-05 biennium that differs from provisions regarding work hours in
14 the prior collective bargaining agreement. The department must report
15 to the transportation committees of the legislature by December 1,
16 2003.

17 (4) \$984,000 of the Puget Sound ferry operations account--state
18 appropriation is provided solely for ferry security operations
19 necessary to comply with the ferry security plan submitted by the
20 Washington state ferry system to the United States coast guard. The
21 department shall track security costs and expenditures. Ferry security
22 operations costs shall not be included as part of the operational costs
23 that are used to calculate farebox recovery.

24 (5) \$866,000 of the multimodal transportation account--state
25 appropriation and \$200,000 of the Puget Sound ferry operations
26 account--state appropriation are provided solely for operating costs
27 associated with the Bremerton to Seattle passenger-only ferry service
28 for thirteen weeks.

29 (6) The department shall study the potential for private or public
30 partners, including but not limited to King county, to provide
31 passenger-only ferry service from Vashon to Seattle. The department
32 shall report to the legislative transportation committees by December
33 31, 2003.

34 (7) The Washington state ferries shall continue to provide service
35 to Sidney, British Columbia.

36 (8) When augmenting the existing ferry fleet, the department of
37 transportation ferry capital program shall explore cost-effective

1 options to include the leasing of ferries from private-sector
2 organizations.

3 (9) The Washington state ferries shall work with the department of
4 general administration, office of state procurement to improve the
5 existing fuel procurement process and solicit, identify, and evaluate,
6 purchasing alternatives to reduce the overall cost of fuel and mitigate
7 the impact of market fluctuations and pressure on both short- and long-
8 term fuel costs. Consideration shall include, but not be limited to,
9 long-term fuel contracts, partnering with other public entities, and
10 possibilities for fuel storage in evaluating strategies and options.
11 The department shall report back to the transportation committees of
12 the legislature by December 1, 2003, on the options, strategies, and
13 recommendations for managing fuel purchases and costs.

14 (10) The department must provide a separate accounting of
15 passenger-only ferry service costs and auto ferry service costs, and
16 must provide periodic reporting to the legislature on the financial
17 status of both passenger-only and auto ferry service in Washington
18 state.

19 (11) The Washington state ferries must work with the department's
20 information technology division to implement a new revenue collection
21 system, including the integration of the regional fare coordination
22 system (smart card). Each December, annual updates are to be provided
23 to the transportation committees of the legislature concerning the
24 status of implementing and completing this project, with updates
25 concluding the first December after full project implementation.

26 (12) The Washington state ferries shall evaluate the benefits and
27 costs of selling the depreciation rights to ferries purchased by the
28 state in the future through sale and lease-back agreements, as
29 permitted under RCW 47.60.010. The department is authorized to issue
30 a request for proposal to solicit proposals from potential buyers. The
31 department must report to the transportation committees of the
32 legislature by December 1, 2004, on the options, strategies, and
33 recommendations for sale/lease-back agreements on existing ferry boats
34 as well as future ferry boat purchases.

35 **Sec. 713.** 2004 c 229 s 224 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

2 Multimodal Transportation Account--State
3 Appropriation ((~~\$34,118,000~~))
4 \$33,488,000

5 The appropriation in this section is subject to the following
6 conditions and limitations:

7 (1) ((~~\$29,961,000~~)) \$29,331,000 of the multimodal transportation
8 account--state appropriation is provided solely for the Amtrak service
9 contract and Talgo maintenance contract associated with providing and
10 maintaining the state-supported passenger rail service.

11 (2) No Amtrak Cascade runs may be eliminated.

12 (3) The department is directed to explore scheduling changes that
13 will reduce the delay in Seattle when traveling from Portland to
14 Vancouver B.C.

15 (4) The department is directed to explore opportunities with
16 British Columbia (B.C.) concerning the possibility of leasing an
17 existing Talgo trainset to B.C. during the day for a commuter run when
18 the Talgo is not in use during the Bellingham layover.

19 (5) \$50,000 of the multimodal transportation account--state
20 appropriation is provided solely for implementing the produce rail car
21 program as provided in RCW 47.76.420.

22 **Sec. 714.** 2004 c 229 s 225 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **OPERATING**

26 Motor Vehicle Account--State Appropriation ((~~\$7,067,000~~))
27 \$6,957,000
28 Motor Vehicle Account--Federal Appropriation \$2,569,000
29 TOTAL APPROPRIATION ((~~\$9,636,000~~))
30 \$9,526,000

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1) Up to \$75,000 of the total appropriation is provided in
34 accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's
35 share of the 2004 Washington marine cargo forecast study. Public port
36 districts, acting through their association, must provide funding to
37 cover the remaining cost of the forecast.

1 (2) \$300,000 of the motor vehicle account--state appropriation is
2 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
3 fund a study of the threats posed by flooding to the state and other
4 infrastructure near the Interstate 5 crossing of the Skagit River.
5 This funding is contingent on the receipt of federal matching funds.

6 **TRANSFERS AND DISTRIBUTIONS**

7 **Sec. 801.** 2004 c 229 s 401 (uncodified) is amended to read as
8 follows:

9 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
10 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT**
11 **TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

12 Highway Bond Retirement Account Appropriation	((\$250,000,000))
	<u>\$240,833,000</u>
14 Nondebt-Limit Reimbursable Account Appropriation	((\$4,131,000))
	<u>\$1,440,000</u>
16 Ferry Bond Retirement Account Appropriation	((\$43,340,000))
	<u>\$42,084,000</u>
18 Transportation Improvement Board Bond Retirement	
19 Account--State Appropriation	((\$36,721,000))
	<u>\$33,209,000</u>
21 Motor Vehicle Account--State Appropriation	\$5,254,000
22 Special Category C Account--State Appropriation	\$338,000
23 Transportation Improvement Account--State	
24 Appropriation	\$240,000
25 Multimodal Transportation Account--State Appropriation	\$358,000
26 Transportation 2003 Account (nickel account)	
27 Appropriation	\$2,117,000
28 TOTAL APPROPRIATION	((\$342,499,000))
	<u>\$325,873,000</u>

30 **Sec. 802.** 2004 c 229 s 402 (uncodified) is amended to read as
31 follows:

32 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
33 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL**
34 **AGENT CHARGES**

35 Motor Vehicle Account--State Appropriation ((~~\$1,293,000~~))

1		<u>\$793,000</u>
2	Special Category C Account Appropriation	\$111,000
3	Transportation Improvement Account--State	
4	Appropriation	\$21,000
5	Multimodal Transportation Account--State Appropriation	\$119,000
6	Transportation 2003 Account (nickel account)--State	
7	Appropriation	((\$700,000))
8		<u>\$400,000</u>
9	TOTAL APPROPRIATION	((\$2,244,000))
10		<u>\$1,444,000</u>

11 **Sec. 803.** 2004 c 229 s 404 (uncodified) is amended to read as
12 follows:

13 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

14	Motor Vehicle Account Appropriation for	
15	motor vehicle fuel tax distributions to	
16	cities and counties	((\$440,228,000))
17		<u>\$435,138,000</u>
18	Motor Vehicle Account--State Appropriation:	
19	For license permit and fee distributions to cities	
20	and counties	((\$13,119,000))
21		<u>\$0</u>

22 **Sec. 804.** 2004 c 229 s 405 (uncodified) is amended to read as
23 follows:

24 **FOR THE STATE TREASURER--TRANSFERS**

25	(1) State Patrol Highway Account--State	
26	Appropriation: For transfer to the Motor	
27	Vehicle Account	((\$20,000,000))
28		<u>\$4,000,000</u>
29	(2) Motor Vehicle Account--State	
30	Appropriation: For motor vehicle fuel tax	
31	refunds and transfers	((\$770,347,000))
32		<u>\$752,823,000</u>
33	(3) Highway Safety Account--State	
34	Appropriation: For transfer to the motor	
35	vehicle account--state	\$12,000,000
36	<u>(4) Motor Vehicle Account--State Appropriation:</u>	

1 For transfer to the Puget Sound operating account--
2 state \$9,500,000

3 The state treasurer shall perform the transfers from the state
4 patrol highway account and the highway safety account to the motor
5 vehicle account on a quarterly basis.

6 **MISCELLANEOUS**

7 NEW SECTION. Sec. 901. If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

11 NEW SECTION. Sec. 902. This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

(End of bill)

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ESSB 6091 - H AMD **892**
By Representative Murray

ADOPTED AS AMENDED 04/24/2005

1 On page 1, line 1 of the title, after "appropriations;" strike the
2 remainder of the title and insert "amending RCW 81.84.020; amending
3 2004 c 229 ss 101, 207, 209, 212, 213, 215, 218, 219, 220, 222, 223,
4 224, 225, 401, 402, 404, and 405 (uncodified); amending 2003 c 360 ss
5 201 and 218 (uncodified); creating new sections; making appropriations
6 and authorizing expenditures for capital improvements; and declaring an
7 emergency."

--- END ---