

SENATE BILL 5138

State of Washington 60th Legislature 2007 Regular Session

By Senators Haugen, Swecker and Marr; by request of Governor Gregoire
Read first time 01/11/2007. Referred to Committee on Transportation.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2006 c 370 ss 227, 228, 229, 301, 302, 304, 305, 309, 401,
3 402, 404, 405, and 406 (uncodified); amending 2005 c 313 s 204
4 (uncodified); adding new sections to 2005 c 313 (uncodified); making
5 appropriations and authorizing expenditures for capital improvements;
6 and declaring an emergency.

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

2005-07 BIENNIUM

TRANSPORTATION AGENCIES--OPERATING

10 **Sec. 201.** 2005 c 313 s 204 (uncodified) is amended to read as
11 follows:

12 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

13	Pilotage Account--State Appropriation	((\$417,000))
14		<u>\$597,000</u>

15 NEW SECTION. **Sec. 202.** A new section is added to 2005 c 313
16 (uncodified) to read as follows:

1 TOTAL APPROPRIATION ((~~\$375,914,000~~))
2 \$392,221,000

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

5 (1) (~~(\$75,280,000)~~) \$81,144,000 of the total appropriation is
6 provided solely for auto ferry vessel operating fuel in the 2005-2007
7 biennium.

8 (2) The maximum amount of expenditures for compensation paid to
9 ferry employees during the 2005-2007 biennium shall not exceed
10 (~~(\$226,455,000)~~) \$235,325,000. This amount reflects the sole source of
11 state funding available to support the implementation of any collective
12 bargaining agreements or arbitration awards with respect to state ferry
13 employee compensation, including salaries, wages, and employee
14 benefits, during the 2005-2007 biennium, which amount includes
15 \$6,223,000 in full satisfaction of the arbitration awards for the
16 2001-2003 biennium and \$1,339,000 for labor productivity gains
17 agreements and \$8,870,000 in full satisfaction of the arbitration
18 awards and the negotiated collective bargaining agreements for the
19 2003-2005 and 2005-2007 biennia. The department's use of this
20 expenditure authority constitutes a good faith attempt to implement
21 such agreements and awards, including those applicable to prior
22 biennia. It is the intent of the legislature that the expenditure
23 authority provided in this subsection fully satisfy any agreements or
24 awards required to be implemented during the 2005-2007 biennium, and
25 that the provisions of Substitute House Bill No. 3178 (marine employees
26 collective bargaining) will govern the implementation of agreements or
27 awards effective beginning with the 2007-2009 biennium. For the
28 purposes of this section, the expenditures for compensation paid to
29 ferry employees shall be limited to salaries and wages and employee
30 benefits as defined in the office of financial management's state
31 administrative and accounting manual, chapter 75.70, named under
32 objects of expenditure "A" and "B".

33 (3) \$1,116,000 of the Puget Sound ferry operations account--state
34 appropriation is provided solely for ferry security operations
35 necessary to comply with the ferry security plan submitted by the
36 Washington state ferry system to the United States coast guard. The
37 department shall track security costs and expenditures. Ferry security

1 operations costs shall not be included as part of the operational costs
2 that are used to calculate farebox recovery.

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

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

12 (6) \$3,660,000 of the multimodal transportation account--state
13 appropriation is provided solely to provide passenger-only ferry
14 service. The ferry system shall continue passenger-only ferry service
15 from Vashon Island to Seattle until such time as a county ferry
16 district's assumption of the route, as authorized by Substitute Senate
17 Bill No. 6787. Beginning September 1, 2005, ferry system management
18 shall implement its agreement with the Inlandboatmen's Union of the
19 Pacific and the International Organization of Masters, Mates and Pilots
20 providing for part-time passenger-only work schedules.

21 (7) \$350,000 of the Puget Sound ferry operations account--state
22 appropriation is provided solely for the implementation of Substitute
23 House Bill No. 3178 (marine employees collective bargaining). If
24 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
25 amount provided in this subsection shall lapse.

26 (8) \$378,000 of the Puget Sound ferry operations account--state
27 appropriation is provided solely for the marine division to meet the
28 United States Coast Guard requirements for appropriate rest hours
29 between shifts for vessel crews on the Bainbridge to Seattle and
30 Edmonds to Kingston ferry routes.

31 **Sec. 205.** 2006 c 370 s 228 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
34 Multimodal Transportation Account--State
35 Appropriation ((~~\$36,876,000~~))
36 \$35,626,000

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1)(a) \$29,091,000 of the multimodal transportation account--state
4 appropriation is provided solely for the Amtrak service contract and
5 Talgo maintenance contract associated with providing and maintaining
6 the state-supported passenger rail service. Upon completion of the
7 rail platform project in the city of Stanwood, the department shall
8 provide daily Amtrak Cascades service to the city.

9 (b) The department shall negotiate with Amtrak and Burlington
10 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
11 Bellingham at a significantly earlier hour.

12 (2) (~~(\$2,750,000)~~) \$1,500,000 of the multimodal transportation
13 account--state appropriation is provided solely for a new round trip
14 rail service between Seattle and Portland beginning July 1, 2006.

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

16 (4) \$40,000 of the multimodal transportation account--state
17 appropriation is provided solely for the produce railcar program. The
18 department is encouraged to implement the produce railcar program by
19 maximizing private investment.

20 (5) \$500,000 of the multimodal transportation account--state
21 appropriation is provided solely for a study of the realignment of
22 highway and rail in the Longview industrial area (SR 432) corridor,
23 specifically regarding whether the construction of a limited access
24 bypass highway to reduce congestion resulting from anticipated growth
25 in future rail and truck traffic, is a feasible alternative. In
26 conducting the study, the department shall consult port districts,
27 local government planning staff, and rail road companies, and other
28 appropriate stakeholders.

29 (6) \$60,000 of the multimodal transportation account--state
30 appropriation is provided solely for a study of the need for
31 transloading capabilities in the West Plains area that could be served
32 by the Geiger Spur, including evaluation of prospective transloader
33 sites, potential operators and users, and the type, size, and special
34 needs of shippers/customers. The study must also evaluate the costs
35 associated with building and operating a transloader site and the
36 impact to local roadways and surrounding land uses. In conducting the
37 study, the department shall consult with Spokane County.

1 **Sec. 206.** 2006 c 370 s 229 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
4 **OPERATING**

5	Motor Vehicle Account--State Appropriation	((\$8,500,000))
6		<u>\$8,836,000</u>
7	Motor Vehicle Account--Federal Appropriation	\$2,597,000
8	Multimodal Transportation Account--State Appropriation . . .	\$411,000
9	TOTAL APPROPRIATION	((\$11,508,000))
10		<u>\$11,844,000</u>

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

13 (1) \$211,000 of the motor vehicle account--state appropriation and
14 \$411,000 of the multimodal transportation account--state appropriation
15 are provided solely for the state's contribution to county and city
16 studies of flood hazards in association with interstate highways.
17 First priority shall be given to threats along the I-5 corridor.

18 (2) ((~~\$525,000~~)) \$861,000 of the motor vehicle account--state
19 appropriation is provided solely to the department in accordance with
20 RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department
21 solely for contract services with the association of Washington cities
22 and the Washington state association of counties for improving
23 transportation permitting and mitigation processes.

24 **TRANSPORTATION AGENCIES--CAPITAL**

25 **Sec. 301.** 2006 c 370 s 301 (uncodified) is amended to read as
26 follows:

27 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

28	Rural Arterial Trust Account--State Appropriation . .	((\$64,933,000))
29		<u>\$38,046,000</u>
30	Motor Vehicle Account--State Appropriation	\$355,000
31	County Arterial Preservation Account--State	
32	Appropriation	((\$32,697,000))
33		<u>\$31,882,000</u>
34	TOTAL APPROPRIATION	((\$97,985,000))
35		<u>\$70,283,000</u>

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

5 **Sec. 302.** 2006 c 370 s 302 (uncodified) is amended to read as
6 follows:

7 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

8 Urban Arterial Trust Account--State Appropriation	((\$101,425,000))
9	<u>\$93,425,000</u>
10 Small City Preservation and Sidewalk	
11 Account--State Appropriation	((\$2,000,000))
12	<u>\$1,696,000</u>
13 Transportation Improvement Account--State	
14 Appropriation	((\$94,401,000))
15	<u>\$82,258,000</u>
16 TOTAL APPROPRIATION	((\$197,826,000))
17	<u>\$177,379,000</u>

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

20 (1) The transportation improvement account--state appropriation
21 includes up to ((~~\$14,143,000~~)) \$7,000,000 in proceeds from the sale of
22 bonds authorized in RCW 47.26.500.

23 (2) ((~~\$2,000,000~~)) \$1,696,000 of the small city preservation and
24 sidewalk account--state appropriation is provided to fund the
25 provisions of chapter 83, Laws of 2005 (Substitute Senate Bill No.
26 5775).

27 **Sec. 303.** 2006 c 370 s 304 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

30 Transportation 2003 Account (Nickel Account)--State	
31 Appropriation	((\$1,190,511,000))
32	<u>\$1,190,261,000</u>
33 Motor Vehicle Account--State Appropriation	\$85,165,000
34 Motor Vehicle Account--Federal Appropriation	\$395,043,000
35 Motor Vehicle Account--Private/Local Appropriation	\$58,522,000
36 Special Category C Account--State Appropriation	\$3,479,000

1	Tacoma Narrows Toll Bridge Account Appropriation	\$274,038,000
2	Transportation Partnership Account--State	
3	Appropriation	\$384,186,000
4	Multimodal Transportation Account--State	
5	Appropriation	((\$1,002,000))
6		<u>\$750,000</u>
7	TOTAL APPROPRIATION	((\$2,391,946,000))
8		<u>\$2,391,444,000</u>

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

11 (1)(a) The entire transportation 2003 account (nickel account)
12 appropriation and the entire transportation partnership account
13 appropriation are provided solely for the projects and activities as
14 listed by fund, project and amount in LEAP Transportation Document
15 2006-1, Highway Improvement Program (I) as developed March 8, 2006.
16 However, limited transfers of allocations between projects may occur
17 for those amounts listed subject to the conditions and limitations in
18 section 603 of this act.

19 (b) Within the amounts provided in this subsection, \$6,835,000 of
20 the transportation partnership account--state appropriation, \$5,002,000
21 of the transportation 2003 account (nickel account)--state
22 appropriation, and \$2,645,000 of the motor vehicle account--federal
23 appropriation are for project 109040T: I-90/Seattle to Mercer Island
24 - Two way transit/HOV. Expenditure of these funds on construction is
25 contingent upon the development of an access plan that provides
26 equitable and dependable access for I-90 Mercer Island exit and entry.

27 (c) Within the amounts provided in this subsection, \$500,000 of the
28 transportation partnership account--state appropriation is for a west
29 Olympia access study, to complete an access study for state route
30 101/west Olympia.

31 (d) Within the amounts provided in this subsection, \$800,000 of the
32 transportation partnership account--state appropriation is for an SR
33 534 access point decision report.

34 (f) Within the amounts provided within this subsection, \$6,000,000
35 of the transportation partnership account--state appropriation is for
36 project 509009B: I-90 Snoqualmie Pass East - Hyak to Keechelus dam.
37 However, if the preferred alternative selected for this project results

1 in a lower total project cost, the remaining funds may be used for
2 concrete rehabilitation on I-90 in the vicinity of this project.

3 (g) Within the amounts provided in this subsection, \$12,841,000 of
4 the transportation 2003 account (nickel account)--state appropriation
5 and \$4,939,000 of the transportation partnership account--state
6 appropriation are for construction of a new interchange on SR 522 to
7 provide direct access to the University of Washington Bothell/Cascadia
8 community college joint campus. This appropriation assumes an
9 additional \$8,061,000 will be provided in the 2007-09 biennium from the
10 transportation partnership account.

11 (h) Within the amounts provided in this subsection, \$19,262,149 of
12 the motor vehicle account--federal appropriation and \$1,873,478 of the
13 transportation 2003 account (nickel account) appropriation are for
14 project 154302E: SR 543 (I-5 to the international boundary).

15 (2) The motor vehicle account--state appropriation includes up to
16 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
17 47.10.843.

18 (3) The department shall not commence construction on any part of
19 the state route number 520 bridge replacement and HOV project until a
20 record of decision has been reached providing reasonable assurance that
21 project impacts will be avoided, minimized, or mitigated as much as
22 practicable to protect against further adverse impacts on neighborhood
23 environmental quality as a result of repairs and improvements made to
24 the state route 520 bridge and its connecting roadways, and that any
25 such impacts will be addressed through engineering design choices,
26 mitigation measures, or a combination of both. The requirements of
27 this section shall not apply to off-site pontoon construction
28 supporting the state route number 520 bridge replacement and HOV
29 project.

30 (4) The transportation partnership account--state appropriation
31 includes up to \$150,000,000 in proceeds from the sale of bonds
32 authorized in RCW 47.10.873.

33 (5) The Tacoma Narrows toll bridge account--state appropriation
34 includes up to \$257,016,000 in proceeds from the sale of bonds
35 authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--
36 state appropriation includes up to \$17,022,000 in unexpended proceeds
37 from the March 2005 bond sale authorized in RCW 47.10.843 for the
38 Tacoma Narrows bridge project.

1 (6) The transportation 2003 account (nickel account)--state
2 appropriation includes up to \$880,000,000 in proceeds from the sale of
3 bonds authorized by chapter 147, Laws of 2003.

4 (7) The department shall, on a quarterly basis beginning July 1,
5 2005, provide to the office of financial management and the legislature
6 reports providing the status on each project in the project lists
7 submitted pursuant to this act. Other projects may be reported on a
8 programmatic basis. The department shall work with the office of
9 financial management and the transportation committees of the
10 legislature to agree on report formatting and elements. Elements shall
11 include, but not be limited to, project scope, schedule, and costs.
12 The department shall also provide the information required under this
13 subsection on a quarterly basis via the transportation executive
14 information systems (TEIS).

15 (8) The department of transportation shall conduct an analysis of
16 the causes of traffic congestion on I-5 in the vicinity of Fort Lewis
17 and develop recommendations for alleviating the congestion. The
18 department must report to the transportation committees of the
19 legislature by December 1, 2005, on its analysis and recommendations
20 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

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

24 (10) The motor vehicle account--state appropriation includes up to
25 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
26 RCW 47.10.843.

27 (11) The special category C account--state appropriation includes
28 up to \$1,710,000 in unexpended proceeds from the sale of bonds
29 authorized in RCW 47.10.812.

30 (12) The department should consider using mitigation banking on
31 appropriate projects whenever possible, without increasing the cost to
32 projects. The department should consider using the advanced
33 environmental mitigation revolving account (AEMRA) for corridor and
34 watershed based mitigation opportunities, in addition to project
35 specific mitigation.

36 (13) \$500,000 of the motor vehicle account--state appropriation is
37 provided solely for a planning study regarding congestion mitigation

1 improvements on state route 101 in the vicinity of the city of
2 Aberdeen.

3 (14) \$6,200,000 of the motor vehicle account--federal appropriation
4 is provided solely for eastern Washington international border crossing
5 and freight mobility projects, including pavement preservation,
6 pavement structural strengthening, and other safety enhancements.
7 Projects shall include funding for U.S. route 97 international border
8 vicinity paving and improvement projects.

9 (15) \$3,509,738 of the motor vehicle account--federal appropriation
10 and \$30,793 of the motor vehicle account--state appropriation are
11 provided solely for project 100598C: I-5 Blaine Exit interchange
12 improvements.

13 ((~~(17)~~)) (16) The legislature recognizes that the finance and
14 project implementation planning processes required for the Alaskan Way
15 viaduct and Seattle Seawall replacement project and the SR 520 bridge
16 replacement and HOV project cannot guarantee appropriate decisions
17 unless key study assumptions are reasonable with respect to each
18 project.

19 To assure appropriate finance plan and project implementation plan
20 assumptions, an expert review panel shall be appointed to provide
21 independent financial and technical review for development of a finance
22 plan and project implementation plan for the projects described in this
23 subsection.

24 (a) The expert review panel shall consist of five to ten members
25 who are recognized experts in relevant fields, such as planning,
26 engineering, finance, law, the environment, emerging transportation
27 technologies, geography, and economics.

28 (b) The expert review panel shall be selected cooperatively by the
29 chairs of the senate and house transportation committees, the secretary
30 of the department of transportation, and the governor to assure a
31 balance of disciplines.

32 (c) The chair of the expert review panel shall be designated by the
33 governor.

34 (d) The expert panel shall, with respect to completion of the
35 project alternatives as described in the draft environmental impact
36 statement of each project:

37 (i) Review the finance plan for the project to ensure that it

1 clearly identifies secured and anticipated funding sources and is
2 feasible and sufficient;

3 (ii) Review the project implementation plan covering all state and
4 local permitting and mitigation approvals that ensure the most
5 expeditious and cost-effective delivery of the project; and

6 (iii) Report its findings and recommendations on the items
7 described in (d)(i) and (ii) of this subsection to the joint
8 transportation committee, the office of financial management, and the
9 governor no later than September 1, 2006.

10 (e) Upon receipt of the expert review panel's findings and
11 recommendations under (d)(iii) of this subsection, the governor must
12 make a finding of whether each finance plan is feasible and sufficient
13 to complete the project as described in the draft environmental impact
14 statement.

15 (f) Nothing in this section shall be interpreted to delay
16 construction of any of the projects referenced in this subsection.

17 (~~(18)~~) (17)(a) Prior to commencing construction on either
18 project, the department of transportation must complete all of the
19 following requirements for both the Alaskan Way viaduct and Seattle
20 Seawall replacement project, and the state route number 520 bridge
21 replacement and HOV project: (i) In accordance with the national
22 environmental policy act, the department must designate the preferred
23 alternative, prepare a substantial project mitigation plan, and
24 complete a comprehensive cost estimate review using the department's
25 cost estimate validation process, for each project; (ii) in accordance
26 with all applicable federal highway administration planning and project
27 management requirements, the department must prepare a project finance
28 plan for each project that clearly identifies secured and anticipated
29 fund sources, cash flow timing requirements, and project staging and
30 phasing plans if applicable; and (iii) the department must report these
31 results for each project to the joint transportation committee.

32 (b) The requirements of this subsection shall not apply to (i)
33 utility relocation work, and related activities, on the Alaskan Way
34 viaduct and Seattle Seawall replacement project and (ii) off-site
35 pontoon construction supporting the state route number 520 bridge
36 replacement and HOV project.

1 bridge in its entirety and provide that the payment of these funds
2 extinguishes any real or implied agreements regarding future
3 expenditures on the bridge.

4 (3) \$740,000 of the motor vehicle account--state appropriation,
5 \$106,149,000 of the motor vehicle account--federal appropriation, and
6 \$10,305,000 of the transportation partnership account--state
7 appropriation are provided solely for the Hood Canal bridge project.

8 (4) The motor vehicle account--state appropriation includes up to
9 \$735,000 in unexpended proceeds from the sale of bonds authorized in
10 RCW 47.10.761 and 47.10.762 for emergency purposes.

11 (5) The department of transportation shall continue to implement
12 the lowest life cycle cost planning approach to pavement management
13 throughout the state to encourage the most effective and efficient use
14 of pavement preservation funds. Emphasis should be placed on
15 increasing the number of roads addressed on time and reducing the
16 number of roads past due.

17 (6) The department shall, on a quarterly basis beginning July 1,
18 2005, provide to the office of financial management and the legislature
19 reports providing the status on each project in the project lists
20 submitted pursuant to this act. Other projects may be reported on a
21 programmatic basis. The department shall work with the office of
22 financial management and the transportation committees of the
23 legislature to agree on report formatting and elements. Elements shall
24 include, but not be limited to, project scope, schedule, and costs.
25 The department shall also provide the information required under this
26 subsection on a quarterly basis via the transportation executive
27 information systems (TEIS).

28 (7) The motor vehicle account--state appropriation includes up to
29 \$912,000 in unexpended proceeds from the sale of bonds authorized in
30 RCW 47.10.843.

31 (8) The motor vehicle account--state appropriation includes up to
32 \$6,000,000 in proceeds from the sale of bonds authorized by RCW
33 47.10.843.

34 (9) (~~(\$4,000,000)~~) \$3,200,000 of the motor vehicle account--federal
35 appropriation and \$6,000,000 of the motor vehicle account--state
36 appropriation, as specified in subsection (8) of this section, are for
37 expenditures on damaged state roads due to flooding, mudslides, rock

1 fall, or other unforeseen events. Slide repair on state routes 101, 4,
2 107, and 105 must be funded from this amount if federal emergency funds
3 are not available.

4 **Sec. 305.** 2006 c 370 s 309 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
7 **CAPITAL**

8	Highway Infrastructure Account--State Appropriation	\$207,000
9	Highway Infrastructure Account--Federal Appropriation	\$1,602,000
10	Motor Vehicle Account--Federal Appropriation	(\$48,998,000)
11		<u>\$41,203,000</u>
12	Motor Vehicle Account--State Appropriation	(\$8,340,000)
13		<u>\$5,954,000</u>
14	Transportation Partnership Account--State Appropriation	\$2,008,000
15	Freight Mobility Investment Account--State	
16	Appropriation	(\$6,000,000)
17		<u>\$2,850,000</u>
18	Passenger Ferry Account--State Appropriation	\$9,000,000
19	Multimodal Transportation Account--State	
20	Appropriation	(\$39,403,000)
21		<u>\$33,285,000</u>
22	Transportation 2003 Account (nickel account)--State	
23	Appropriation	\$557,000
24	Freight Mobility Multimodal Account--State	
25	Appropriation	(\$9,700,000)
26		<u>\$2,440,000</u>
27	<u>Freight Mobility Multimodal Account--</u>	
28	<u>Private/Local Appropriation</u>	<u>\$3,050,000</u>
29	TOTAL APPROPRIATION	(\$125,815,000)
30		<u>\$102,156,000</u>

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

33 (1) To manage some projects more efficiently, federal funds may be
34 transferred from program Z to programs I and P and state funds shall be
35 transferred from programs I and P to program Z to replace those federal
36 funds in a dollar-for-dollar match. Fund transfers authorized under
37 this subsection shall not affect project prioritization status.

1 Appropriations shall initially be allotted as appropriated in this act.
2 The department may not transfer funds as authorized under this
3 subsection without approval of the office of financial management. The
4 department shall submit a report on those projects receiving fund
5 transfers to the transportation committees of the senate and house of
6 representatives by December 1, 2006.

7 (2) The department shall, on a quarterly basis, provide status
8 reports to the legislature on the delivery of projects as outlined in
9 the project lists distributed with this act, and on any additional
10 projects for which the department has expended funds during the 2005-07
11 fiscal biennium, except for projects managed by the freight mobility
12 strategic investment board. The department shall work with the
13 transportation committees of the legislature to agree on report
14 formatting and elements. For projects funded by new revenue in the
15 2003 and 2005 transportation packages, reporting elements shall
16 include, but not be limited to, project scope, schedule, and costs.
17 Other projects may be reported on a programmatic basis. The department
18 shall also provide the information required under this subsection on a
19 quarterly basis via the transportation executive information system
20 (TEIS).

21 (3) The multimodal transportation account--state appropriation
22 includes up to \$6,000,000 in proceeds from the sale of bonds authorized
23 by RCW 47.10.867.

24 (4) \$1,545,000 of the multimodal transportation account--state
25 appropriation is reappropriated and provided solely to fund the
26 multiphase cooperative project with the state of Oregon to dredge the
27 Columbia River. The amount provided in this subsection shall lapse
28 unless the state of Oregon appropriates a dollar-for-dollar match to
29 fund its share of the project.

30 (5) \$206,000 of the motor vehicle account--state appropriation is
31 reappropriated and provided solely for additional traffic and
32 pedestrian safety improvements near schools. The highways and local
33 programs division within the department of transportation shall
34 administer this program. The department shall review all projects
35 receiving grant awards under this program at least semiannually to
36 determine whether the projects are making satisfactory progress. Any
37 project that has been awarded traffic and pedestrian safety improvement
38 grant funds, but does not report activity on the project within one

1 year of grant award should be reviewed by the department to determine
2 whether the grant should be terminated. The department must promptly
3 close out grants when projects have been completed, and identify where
4 unused grant funds remain because actual project costs were lower than
5 estimated in the grant award. The department shall expeditiously
6 extend new grant awards to qualified projects when funds become
7 available either because grant awards have been rescinded for lack of
8 sufficient project activity or because completed projects returned
9 excess grant funds upon project closeout.

10 (6) The motor vehicle account--state appropriation includes up to
11 \$905,000 in unexpended proceeds from the sale of bonds authorized by
12 RCW 47.10.843.

13 (7) \$607,000 of the multimodal transportation account--state
14 appropriation is reappropriated and provided solely to support the safe
15 routes to school program.

16 (8) (~~(\$16,110,000)~~) \$7,488,000 of the motor vehicle account--
17 federal appropriation is provided solely for the local freight capital
18 projects in progress identified in this subsection. The specific
19 funding listed is provided solely for the respective projects: SR 397
20 Ainsworth Ave. Grade Crossing, \$4,992,000; Colville Alternate Truck
21 Route, \$1,746,000; (~~(S. 228th Street Extension and Grade Separation,~~
22 ~~\$6,500,000; Bigelow Gulch Road Urban Boundary to Argonne Rd.,~~
23 ~~\$2,000,000; Granite Falls Alternate Route, \$122,000;)) and Pacific Hwy.
24 E./Port of Tacoma Road to Alexander, \$750,000.~~

25 (9) (~~(\$2,898,000)~~) \$1,011,000 of the motor vehicle account--state
26 appropriation is provided solely for the local freight capital projects
27 in progress identified in this subsection. The specific funding listed
28 is provided solely for the respective projects: Duwamish Intelligent
29 Transportation Systems (ITS), (~~(\$2,382,000)~~) \$495,000; Port of
30 Kennewick/Piert Road, \$516,000.

31 (10) \$6,000,000 of the multimodal account--state appropriation is
32 provided solely for the local freight 'D' street grade separation
33 project.

34 (11) The department shall issue a call for pedestrian safety
35 projects, such as safe routes to schools and transit, and bicycle and
36 pedestrian paths. Applications must be received by the department by
37 November 1, 2005, and November 1, 2006. The department shall identify
38 cost-effective projects, and submit a prioritized list to the

1 legislature for funding by December 15th of each year. Recommendations
2 made to the legislature for safe routes to schools and bicycle and
3 pedestrian path projects must, to the extent practicable based on
4 available funding, allocate sixty percent of available funds to bicycle
5 and pedestrian path projects and forty percent to safe routes to
6 schools. Preference shall be given to projects that provide a local
7 match.

8 (12) (~~(\$18,370,000)~~) \$12,000,000 of the multimodal transportation
9 account--state appropriation, (~~(\$6,000,000)~~) \$2,440,000 of the freight
10 mobility multimodal account--state appropriation, \$2,008,000 of the
11 transportation partnership account--state appropriation, and
12 (~~(\$6,000,000)~~) \$2,850,000 of the freight mobility investment account--
13 state appropriation are provided solely for the projects and activities
14 as listed by fund, project and amount in LEAP Transportation Document
15 2006-1, Local Programs (Z) as developed March 8, 2006. However,
16 limited transfers of allocations between projects may occur for those
17 amounts listed subject to the conditions and limitations in section 603
18 of this act.

19 (13) \$870,000 of the multimodal transportation account--state
20 appropriation is provided solely for the Yakima Avenue, 9th Street to
21 Front Street, pedestrian safety improvement project.

22 (14) \$5,000,000 of the multimodal transportation account--state
23 appropriation and \$2,000,000 of the motor vehicle account--federal
24 appropriation are provided solely for the pedestrian and bicycle safety
25 program projects and safe routes to schools program projects identified
26 on the LEAP Transportation Document 2006-B, Pedestrian and Bicycle
27 Safety Program Projects and Safe Routes to Schools Program Projects as
28 developed March 8, 2006. Projects must be allocated funding based on
29 order of priority. The department shall review all projects receiving
30 grant awards under this program at least semiannually to determine
31 whether the projects are making satisfactory progress. Any project
32 that has been awarded funds, but does not report activity on the
33 project within one year of the grant award, shall be reviewed by the
34 department to determine whether the grant should be terminated. The
35 department shall promptly close out grants when projects have been
36 completed, and identify where unused grant funds remain because actual
37 project costs were lower than estimated in the grant award. When funds
38 become available either because grant awards have been rescinded for

1 lack of sufficient project activity or because completed projects
2 returned excess grant funds upon project closeout, the department shall
3 expeditiously extend new grant awards to qualified alternative projects
4 identified on the list.

5 (15) \$9,700,000 of the motor vehicle account--federal appropriation
6 is provided solely for the intersection and corridor safety program
7 projects as identified on the LEAP Transportation Document 2006-A,
8 Intersection and Corridor Safety Program Projects as developed March 8,
9 2006.

10 (16) \$19,500,000 of the motor vehicle account--federal
11 appropriation is provided solely for rural county two-lane roadway
12 pilot projects including \$7,500,000 already under contract. Any
13 further allocations shall be prioritized by the department based on
14 high-accident-corridor criteria. For purposes of this subsection,
15 "high-accident-corridor" means a highway corridor of one mile or more
16 where analysis of collision history indicates that the section has
17 higher than average collision and severity factors.

18 (17) \$2,500,000 of the motor vehicle account--state appropriation
19 is provided solely for the Yakima downtown futures initiative.

20 (18) \$810,000 of the multimodal transportation account--state
21 appropriation is provided solely for the projects identified in this
22 subsection: Des Moines creek trail, \$250,000; SR 282 to Port of
23 Ephrata connector, \$385,000; Mount Baker Ridge viewpoint, \$175,000.

24 ~~((+20))~~ (19) \$688,000 of the motor vehicle account--federal
25 appropriation is provided solely for completion of the Coal Creek
26 Parkway project.

27 ~~((+21))~~ (20) \$9,000,000 of the passenger ferry account--state
28 appropriation is provided solely for the implementation of the
29 passenger-only ferry grant program created in Substitute Senate Bill
30 No. 6787. If Substitute Senate Bill No. 6787 is not enacted by June
31 30, 2006, the amount provided in this subsection shall lapse.

32 (21) \$827,000 of the motor vehicle account--federal appropriation
33 is provided solely for the projects identified in this subsection: The
34 Franklin county slide project, \$800,000; and the Loomis-Oroville Road
35 guardrail replacement project, \$27,000.

36 (22) \$252,000 of the multimodal transportation account--state
37 appropriation is provided solely for the Winthrop pedestrian and bike
38 path project.

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 401. 2006 c 370 s 401 (uncodified) is amended to read as
3 follows:

4 FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING
5 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND
6 DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND
7 REVENUE

8	Highway Bond Retirement Account Appropriation	((\$334,313,000))
9		<u>\$329,713,000</u>
10	Nondebt-Limit Reimbursable Account Appropriation	((\$6,091,000))
11		<u>\$5,791,000</u>
12	Ferry Bond Retirement Account Appropriation	\$38,241,000
13	Transportation Improvement Board Bond Retirement	
14	Account--State Appropriation	\$30,923,000
15	Motor Vehicle Account--State Appropriation	((\$682,000))
16		<u>\$782,000</u>
17	Transportation Improvement Account--State	
18	Appropriation	\$120,000
19	Multimodal Transportation Account--State	
20	Appropriation	((\$370,000))
21		<u>\$390,000</u>
22	Transportation 2003 Account (Nickel Account)	
23	Appropriation	\$6,600,000
24	Transportation Partnership Account--State	
25	Appropriation	((\$1,125,000))
26		<u>\$975,000</u>
27	TOTAL APPROPRIATION	((\$418,465,000))
28		<u>\$413,535,000</u>

29 Sec. 402. 2006 c 370 s 402 (uncodified) is amended to read as
30 follows:

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

34	Motor Vehicle Account--State Appropriation	\$248,000
35	Transportation Improvement Account--State Appropriation	((\$13,000))
36		<u>\$18,000</u>
37	Multimodal Transportation Account--State Appropriation	\$35,000

1	Transportation 2003 Account (Nickel Account)--State	
2	Appropriation	\$2,200,000
3	Transportation Partnership Account--State	
4	Appropriation	\$375,000
5	TOTAL APPROPRIATION	((\$2,871,000))
6		<u>\$2,876,000</u>

7 **Sec. 403.** 2006 c 370 s 404 (uncodified) is amended to read as
8 follows:

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

10	Motor Vehicle Account Appropriation for	
11	motor vehicle fuel tax distributions to cities	
12	and counties	((\$487,612,000))
13		<u>\$468,391,000</u>

14 **Sec. 404.** 2006 c 370 s 405 (uncodified) is amended to read as
15 follows:

16 **FOR THE STATE TREASURER--TRANSFERS**

17	Motor Vehicle Account--State	
18	Appropriation: For motor vehicle fuel tax	
19	refunds and transfers	((\$1,037,342,000))
20		<u>\$1,031,321,000</u>

21 **Sec. 405.** 2006 c 370 s 406 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

24	(1) RV Account--State Appropriation:	
25	For transfer to the Motor Vehicle Account--State	((\$2,000,000))
26		<u>\$815,000</u>
27	(2) Motor Vehicle Account--State Appropriation:	
28	For transfer to Puget Sound Capital Construction	
29	Account--State	((\$73,000,000))
30		<u>\$70,223,000</u>
31	(3) Highway Safety Account--State Appropriation:	
32	For transfer to the Motor Vehicle Account--State	\$5,000,000
33	(4) Motor Vehicle Account--State Appropriation:	
34	For transfer to the Puget Sound Ferry Operations	
35	Account--State	((\$31,000,000))

1		<u>\$50,680,000</u>
2	(5) Motor Vehicle Account--State Appropriation:	
3	For transfer to the Transportation Partnership	
4	Account--State	\$33,127,000
5	(6) Highway Safety Account--State Appropriation:	
6	For transfer to the Multimodal Transportation	
7	Account--State	\$25,980,000
8	(7) Transportation Partnership Account--State Appropriation:	
9	For transfer to the Small City Pavement and Sidewalk	
10	Account--State	\$1,000,000
11	(8) Transportation Partnership Account--State Appropriation:	
12	For transfer to the Transportation Improvement	
13	Account--State	\$2,500,000
14	(9) Transportation Partnership Account--State Appropriation:	
15	For transfer to the County Arterial Preservation	
16	Account--State	\$1,500,000
17	(10) License Plate Technology Account--State Appropriation:	
18	For transfer to the Motor Vehicle Account--State	\$2,500,000
19	(11) Multimodal Transportation Account--State Appropriation:	
20	For transfer to the Transportation Partnership	
21	Account--State	\$29,417,000
22	(12) Motor Vehicle Account--State Appropriation:	
23	For transfer to the Freight Mobility Multimodal	
24	Account--State, up to a maximum of	((\$3,700,000))
25		<u>\$3,537,000</u>
26	(13) Multimodal Transportation Account--State Appropriation:	
27	For transfer to the Tacoma Narrows Toll Bridge	
28	Account--State	\$1,300,000
29	(14) Multimodal Transportation Account--State Appropriation:	
30	For transfer to the Freight Mobility Multimodal	
31	Account--State	\$4,610,000
32	<u>(15) Motor Vehicle Account--State Appropriation:</u>	
33	<u>For transfer to the Tacoma Narrows Toll Bridge</u>	
34	<u>Account--State</u>	<u>\$6,500,000</u>

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

- 37 (a) The department of transportation shall only transfer funds in

1 subsection (2) of this section up to the level provided, on an as-
2 needed basis.

3 (b) The amount transferred in subsection (12) of this section shall
4 be the same as the Union Pacific Railroad's original contribution,
5 adjusted for earned interest and expenditures, and shall be made on
6 June 30, 2006.

7 (c) The amount transferred in subsection (14) of this section is
8 the equivalent of the Burlington Northern Santa Fe funds advanced to
9 the SR 519 project and shall be invested in a freight mobility project
10 agreed to by the freight mobility strategic investment board and the
11 BNSF railway if the final design of the SR 519 project does not include
12 the original rail benefit.

13 **MISCELLANEOUS**

14 NEW SECTION. **Sec. 501.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 502.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and takes effect
21 immediately.

(End of bill)

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