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**SUBSTITUTE SENATE BILL 5412**

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**State of Washington                      60th Legislature                      2007 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Murray, Swecker, Marr, Clements and Haugen)

READ FIRST TIME 03/05/07.

1            AN ACT Relating to clarifying goals, objectives, and  
2 responsibilities of certain transportation agencies; amending RCW  
3 47.01.011, 47.01.012, 47.01.071, 47.01.075, 47.05.030, 47.05.035,  
4 47.06.020, 47.06.050, and 47.06.140; adding a new section to chapter  
5 47.04 RCW; creating a new section; recodifying RCW 47.01.012; and  
6 repealing RCW 47.01.370, 47.05.051, and 47.06.030.

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

8            NEW SECTION.    **Sec. 1.** The legislature finds and declares that the  
9 citizens of the state expect clear and concise goals, objectives, and  
10 responsibilities regarding the operation of the statewide  
11 transportation system. Furthermore, the state's citizens expect that  
12 the state periodically receive clear and streamlined information that  
13 measures whether the goals and objectives are being satisfied.  
14 Therefore, it is the intent of the legislature that this act serve to  
15 clarify existing goals, objectives, and responsibilities related to the  
16 operation of an efficient statewide transportation system.

17            **Sec. 2.** RCW 47.01.011 and 1977 ex.s. c 151 s 1 are each amended to  
18 read as follows:

1 The legislature hereby recognizes the following imperative needs  
2 within the state: To create a statewide transportation development  
3 plan which identifies present status and sets goals for the future; to  
4 coordinate transportation modes; to promote and protect land use  
5 programs required in local, state, and federal law; to coordinate  
6 transportation with the economic development of the state; to supply a  
7 broad framework in which regional, metropolitan, and local  
8 transportation needs can be related; to facilitate the supply of  
9 federal and state aid to those areas which will most benefit the state  
10 as a whole; to provide for public involvement in the transportation  
11 planning and development process; to administer programs within the  
12 jurisdiction of this title relating to the safety of the state's  
13 transportation systems; and to coordinate and implement national  
14 transportation policy with the state transportation planning program.

15 The legislature finds and declares that placing all elements of  
16 transportation in a single department is fully consistent with and  
17 shall in no way impair the use of moneys in the motor vehicle fund  
18 exclusively for highway purposes.

19 Through this chapter, a unified department of transportation is  
20 created. To the jurisdiction of this department will be transferred  
21 the present powers, duties, and functions of the department of  
22 highways, the highway commission, the toll bridge authority, the  
23 aeronautics commission, and the canal commission, and the  
24 transportation related powers, duties, and functions of the planning  
25 and community affairs agency. The powers, duties, and functions of the  
26 department of transportation must be performed in a manner consistent  
27 with the policy goals set forth in RCW 47.01.012 (as recodified by this  
28 act).

29 **Sec. 3.** RCW 47.01.012 and 2002 c 5 s 101 are each amended to read  
30 as follows:

31 (1) It is the intent of the legislature to establish policy goals  
32 for the planning, operation, performance of, and investment in, the  
33 state's transportation system. The policy goals (~~shall consist of,~~  
34 ~~but not be limited to, the following~~) established under this section  
35 are deemed consistent with the benchmark categories(~~(7)~~) adopted by the  
36 state's blue ribbon commission on transportation on November 30, 2000.

1 ((In addition to improving safety,)) Public investments in  
2 transportation ((shall)) should support achievement of these ((and  
3 other priority)) policy goals:

4 ((No interstate highways, state routes, and local arterials shall  
5 be in poor condition; no bridges shall be structurally deficient, and  
6 safety retrofits shall be performed on those state bridges at the  
7 highest seismic risk levels; traffic congestion on urban state highways  
8 shall be significantly reduced and be no worse than the national mean;  
9 delay per driver shall be significantly reduced and no worse than the  
10 national mean; per capita vehicle miles traveled shall be maintained at  
11 2000 levels; the nonauto share of commuter trips shall be increased in  
12 urban areas; administrative costs as a percentage of transportation  
13 spending shall achieve the most efficient quartile nationally; and the  
14 state's public transit agencies shall achieve the median cost per  
15 vehicle revenue hour of peer transit agencies, adjusting for the  
16 regional cost of living.))

17 (a) Preservation: To maintain, preserve, and extend the life and  
18 utility of prior investments in transportation systems and services;

19 (b) Safety: To provide for and improve the safety and security of  
20 transportation customers and the transportation system;

21 (c) Mobility: To improve the predictable movement of goods and  
22 people throughout Washington state;

23 (d) Environment: To enhance Washington's quality of life through  
24 transportation investments that promote energy conservation, enhance  
25 healthy communities, and protect the environment; and

26 (e) Stewardship: To be effective managers of the transportation  
27 system.

28 (2) The powers, duties, and functions of state transportation  
29 agencies must be performed in a manner consistent with the policy goals  
30 set forth in subsection (1) of this section.

31 (3) These policy goals ((shall)) are intended to be the basis for  
32 ((establishment of)) establishing detailed and measurable objectives  
33 and related performance ((benchmarks)) measures.

34 (4) It is the intent of the legislature that the ((transportation  
35 commission)) office of financial management establish objectives and  
36 performance measures for the department of transportation and other  
37 state agencies with transportation-related responsibilities to ensure  
38 transportation system performance at local, regional, and state

1 government levels(~~, and the transportation commission should work with~~  
2 ~~appropriate government entities to accomplish this~~) progresses toward  
3 the attainment of the policy goals set forth in subsection (1) of this  
4 section. The office of financial management shall submit initial  
5 objectives and performance measures to the legislature and the  
6 commission during the 2008 legislative session. The office of  
7 financial management shall submit objectives and performance measures  
8 to the legislature and the commission during each regular session of  
9 the legislature during an even-numbered year thereafter.

10 (5) This section does not create a private right of action.

11 **Sec. 4.** RCW 47.01.071 and 2006 c 334 s 3 are each amended to read  
12 as follows:

13 The transportation commission shall have the following functions,  
14 powers, and duties:

15 (1) To propose policies to be adopted by the governor and the  
16 legislature designed to assure the development and maintenance of a  
17 comprehensive and balanced statewide transportation system which will  
18 meet the needs of the people of this state for safe and efficient  
19 transportation services. Wherever appropriate, the policies shall  
20 provide for the use of integrated, intermodal transportation systems  
21 (~~(to implement the social, economic, and environmental policies, goals,~~  
22 ~~and objectives of the people of the state, and especially to conserve~~  
23 ~~nonrenewable natural resources including land and energy)). The  
24 policies must be aligned with the goals established in RCW 47.01.012  
25 (as recodified by this act). To this end the commission shall:~~

26 (a) Develop transportation policies which are based on the  
27 policies, goals, and objectives expressed and inherent in existing  
28 state laws;

29 (b) Inventory the adopted policies, goals, and objectives of the  
30 local and area-wide governmental bodies of the state and define the  
31 role of the state, regional, and local governments in determining  
32 transportation policies, in transportation planning, and in  
33 implementing the state transportation plan;

34 (~~(Propose a transportation policy for the state;~~  
35 ~~(d))~~) Establish a procedure for review and revision of the state  
36 transportation policy and for submission of proposed changes to the  
37 governor and the legislature; and

1       ~~((e) To)~~ (d) Integrate the statewide transportation plan with the  
2 needs of the elderly and ~~((handicapped))~~ persons with disabilities, and  
3 ~~((to))~~ coordinate federal and state programs directed at assisting  
4 local governments to answer such needs;

5       (2) To provide for the effective coordination of state  
6 transportation planning with national transportation policy, state and  
7 local land use policies, and local and regional transportation plans  
8 and programs;

9       (3) In conjunction with the provisions under RCW 47.01.075, to  
10 provide for public involvement in transportation designed to elicit the  
11 public's views both with respect to adequate transportation services  
12 and appropriate means of minimizing adverse social, economic,  
13 environmental, and energy impact of transportation programs;

14       (4) By December 2010, to prepare a comprehensive and balanced  
15 statewide transportation plan ~~((which shall be))~~ consistent with the  
16 state's growth management goals and based on the transportation policy  
17 ~~((adopted by the governor and the legislature,))~~ goals provided under  
18 RCW 47.01.012 (as recodified by this act) and applicable state and  
19 federal laws. The plan must reflect the priorities of government  
20 developed by the office of financial management and address regional  
21 needs, including multimodal transportation planning. The plan must, at  
22 a minimum: (a) Establish a vision for the development of the statewide  
23 transportation system; (b) identify significant statewide  
24 transportation policy issues; and (c) recommend statewide  
25 transportation policies and strategies to the legislature to fulfill  
26 the requirements of subsection (1) of this section. The plan must be  
27 the product of an ongoing process that involves representatives of  
28 significant transportation interests and the general public from across  
29 the state. Every four years, the plan shall be reviewed and revised,  
30 and submitted to the governor and the house of representatives and  
31 senate standing committees on transportation~~((, prior to each regular~~  
32 session of the legislature during an even numbered year thereafter.  
33 The plan shall be subject to the approval of the legislature in the  
34 biennial transportation budget act)).

35       The plan shall take into account federal law and regulations  
36 relating to the planning, construction, and operation of transportation  
37 facilities;

1       (5) By December 2007, the commission shall submit a baseline report  
2 on the progress toward attaining the policy goals under RCW 47.01.012  
3 (as recodified by this act) in the 2005-2007 fiscal biennium. By  
4 October 1, 2008, beginning with the development of the 2009-2011  
5 biennial transportation budget, and by October 1st biennially  
6 thereafter, the commission shall submit to the legislature and the  
7 governor a report on the progress toward the attainment by state  
8 transportation agencies of the state transportation policy goals and  
9 objectives prescribed by statute, appropriation, and governor  
10 directive. The report must, at a minimum, include the degree to which  
11 state transportation programs have progressed toward the attainment of  
12 the policy goals established under RCW 47.01.012 (as recodified by this  
13 act), as measured by the objectives and performance measures  
14 established by the office of financial management under RCW 47.01.012  
15 (as recodified by this act);

16       (6) To propose to the governor and the legislature prior to the  
17 convening of each regular session held in an odd-numbered year a  
18 recommended budget for the operations of the commission as required by  
19 RCW 47.01.061;

20       (~~(6)~~) (7) To adopt such rules as may be necessary to carry out  
21 reasonably and properly those functions expressly vested in the  
22 commission by statute;

23       (~~(7)~~) (8) To contract with the office of financial management or  
24 other appropriate state agencies for administrative support, accounting  
25 services, computer services, and other support services necessary to  
26 carry out its other statutory duties;

27       (~~(8)~~) (9) To conduct transportation-related studies and policy  
28 analysis to the extent directed by the legislature or governor in the  
29 biennial transportation budget act, or as otherwise provided in law,  
30 and subject to the availability of amounts appropriated for this  
31 specific purpose; and

32       (~~(9)~~) (10) To exercise such other specific powers and duties as  
33 may be vested in the transportation commission by this or any other  
34 provision of law.

35       **Sec. 5.** RCW 47.01.075 and 2006 c 334 s 4 are each amended to read  
36 as follows:

37       (1) The transportation commission shall provide a public forum for

1 the development of transportation policy in Washington state to include  
2 coordination with regional transportation planning organizations,  
3 transportation stakeholders, counties, cities, and citizens. (~~It may~~  
4 ~~recommend to the secretary of transportation, the governor, and the~~  
5 ~~legislature means for obtaining appropriate citizen and professional~~  
6 ~~involvement in all transportation policy formulation and other matters~~  
7 ~~related to the powers and duties of the department. It may further~~  
8 ~~hold hearings and explore ways to improve the mobility of the~~  
9 ~~citizenry.~~) At least every five years, the commission shall convene  
10 regional forums to gather citizen input on transportation issues. The  
11 commission shall consider the input gathered at the forums as it  
12 establishes the statewide transportation plan under RCW 47.01.071(4).

13 ~~(2) (Every two years, in coordination with the development of the~~  
14 ~~state biennial budget, the commission shall prepare the statewide~~  
15 ~~multimodal transportation progress report and propose to the office of~~  
16 ~~financial management transportation priorities for the ensuing~~  
17 ~~biennium. The report must:~~

18 ~~(a) Consider the citizen input gathered at the forums;~~

19 ~~(b) Be developed with the assistance of state transportation-~~  
20 ~~related agencies and organizations;~~

21 ~~(c) Be developed with the input from state, local, and regional~~  
22 ~~jurisdictions, transportation service providers, key transportation~~  
23 ~~stakeholders, and the office of financial management;~~

24 ~~(d) Be considered by the secretary of transportation and other~~  
25 ~~state transportation related agencies in preparing proposed agency~~  
26 ~~budgets and executive request legislation;~~

27 ~~(e) Be submitted by the commission to the governor and the~~  
28 ~~legislature by October 1st of each even numbered year for consideration~~  
29 ~~by the governor.~~

30 ~~(3))~~ In fulfilling its responsibilities under this section, the  
31 commission may create ad hoc committees or other such committees of  
32 limited duration as necessary.

33 ~~((4))~~ (3) In order to promote a better transportation system, the  
34 commission (~~shall~~) may offer policy guidance and make recommendations  
35 to the governor and the legislature in key issue areas, including but  
36 not limited to:

37 (a) Transportation finance;

1 (b) Preserving, maintaining, and operating the statewide  
2 transportation system;

3 (c) Transportation infrastructure needs;

4 (d) Promoting best practices for adoption and use by  
5 transportation-related agencies and programs;

6 (e) Transportation efficiencies that will improve service delivery  
7 and/or coordination;

8 (f) Improved planning and coordination among transportation  
9 agencies and providers; and

10 (g) Use of intelligent transportation systems and other technology-  
11 based solutions(~~(; and~~

12 ~~(h) Reporting of performance against goals, targets, and~~  
13 ~~benchmarks))~~).

14 **Sec. 6.** RCW 47.05.030 and 2006 c 334 s 45 are each amended to read  
15 as follows:

16 (1) The ~~((transportation commission))~~ office of financial  
17 management shall ~~((develop))~~ propose a comprehensive ten-year  
18 investment program ~~((specifying program objectives and performance~~  
19 ~~measures))~~ for the preservation and improvement programs defined in  
20 this section, consistent with the policy goals described under RCW  
21 47.01.012 (as recodified by this act). The ~~((adopted))~~ proposed ten-  
22 year investment program must be forwarded as a recommendation ~~((to))~~ by  
23 the ~~((governor and))~~ office of financial management to the legislature,  
24 and ~~((is subject to the approval of the legislature in the biennial~~  
25 ~~transportation budget act. In the specification of investment program~~  
26 ~~objectives and performance measures, the transportation commission, in~~  
27 ~~consultation with the Washington state department of transportation,~~  
28 ~~shall define and adopt standards for effective programming and~~  
29 ~~prioritization practices including a needs analysis process. The~~  
30 ~~analysis process must ensure the identification of problems and~~  
31 ~~deficiencies, the evaluation of alternative solutions and trade-offs,~~  
32 ~~and estimations of the costs and benefits of prospective projects. The~~  
33 ~~investment program))~~ must be based upon the needs identified in the  
34 ~~((state owned highway component of the))~~ statewide ~~((comprehensive))~~  
35 transportation plan established under RCW 47.01.071(4).

36 ~~((1))~~ (2) The preservation program consists of those investments  
37 necessary to preserve the existing state highway system and to restore



1 existing safety features, giving consideration to lowest life cycle  
2 costing. (~~The preservation program must require use of the most cost-~~  
3 ~~effective pavement surfaces, considering:~~

- 4 ~~(a) Life cycle cost analysis;~~
- 5 ~~(b) Traffic volume;~~
- 6 ~~(c) Subgrade soil conditions;~~
- 7 ~~(d) Environmental and weather conditions;~~
- 8 ~~(e) Materials available; and~~
- 9 ~~(f) Construction factors.~~

10 ~~The comprehensive ten year investment program for preservation must~~  
11 ~~identify projects for two years and an investment plan for the~~  
12 ~~remaining eight years.~~

13 ~~(2)) (3) The improvement program consists of investments needed to~~  
14 ~~address identified deficiencies on the state highway system to~~  
15 ~~((increase mobility, address congestion, and improve safety, support~~  
16 ~~for the economy, and protection of the environment. The ten year~~  
17 ~~investment program for improvements must identify projects for two~~  
18 ~~years and major deficiencies proposed to be addressed in the ten year~~  
19 ~~period giving consideration to relative benefits and life cycle~~  
20 ~~costing. The transportation commission shall give higher priority for~~  
21 ~~correcting identified deficiencies on those facilities classified as~~  
22 ~~facilities of statewide significance as defined in RCW 47.06.140.~~  
23 ~~Project prioritization must be based primarily upon cost benefit~~  
24 ~~analysis, where appropriate)) meet the goals established in RCW~~  
25 ~~47.01.012 (as recodified by this act).~~

26 **Sec. 7.** RCW 47.05.035 and 2006 c 334 s 46 are each amended to read  
27 as follows:

28 (1) The department shall use the transportation demand modeling  
29 tools developed under subsection (2) of this section to evaluate  
30 investments based on the best mode or improvement, or mix of modes and  
31 improvements, to meet current and future long-term demand within a  
32 corridor or system for the lowest cost. The end result of these demand  
33 modeling tools is to provide a cost-benefit analysis by which the  
34 department can determine the relative mobility improvement and  
35 congestion relief each mode or improvement under consideration will  
36 provide and the relative investment each mode or improvement under  
37 consideration will need to achieve that relief.

1 (2) The department will participate in the refinement, enhancement,  
2 and application of existing transportation demand modeling tools to be  
3 used to evaluate investments. This participation and use of  
4 transportation demand modeling tools will be phased in.

5 ~~((3) In developing program objectives and performance measures,~~  
6 ~~the department shall evaluate investment trade offs between the~~  
7 ~~preservation and improvement programs. In making these investment~~  
8 ~~trade offs, the department shall evaluate, using cost benefit~~  
9 ~~techniques, roadway and bridge maintenance activities as compared to~~  
10 ~~roadway and bridge preservation program activities and adjust those~~  
11 ~~programs accordingly.~~

12 ~~(4) The department shall allocate the estimated revenue between~~  
13 ~~preservation and improvement programs giving primary consideration to~~  
14 ~~the following factors:~~

15 ~~(a) The relative needs in each of the programs and the system~~  
16 ~~performance levels that can be achieved by meeting these needs;~~

17 ~~(b) The need to provide adequate funding for preservation to~~  
18 ~~protect the state's investment in its existing highway system;~~

19 ~~(c) The continuity of future transportation development with those~~  
20 ~~improvements previously programmed; and~~

21 ~~(d) The availability of dedicated funds for a specific type of~~  
22 ~~work.~~

23 ~~(5) The department shall consider the findings in this section in~~  
24 ~~the development of the ten year investment program.))~~

25 **Sec. 8.** RCW 47.06.020 and 1993 c 446 s 2 are each amended to read  
26 as follows:

27 The specific role of the department in transportation planning  
28 ~~((shall))~~ must be, consistent with the policy goals described under RCW  
29 47.01.012 (as recodified by this act): (1) Ongoing coordination and  
30 development of statewide transportation policies that guide all  
31 Washington transportation providers; (2) ongoing development of a  
32 statewide multimodal transportation plan that includes both state-owned  
33 and state-interest facilities and services; (3) coordinating the state  
34 high-capacity transportation planning and regional transportation  
35 planning programs; ~~((and))~~ (4) conducting special transportation  
36 planning studies that impact state transportation facilities or relate  
37 to transportation facilities and services of statewide significance;

1 and (5) assisting the transportation commission in the development of  
2 the statewide transportation plan required under RCW 47.01.071(4).  
3 Specific requirements for each of these state transportation planning  
4 components are described in this chapter.

5 **Sec. 9.** RCW 47.06.050 and 2002 c 5 s 413 are each amended to read  
6 as follows:

7 The state-owned facilities component of the statewide multimodal  
8 transportation plan shall consist of:

9 (1) The state highway system plan, which identifies program and  
10 financing needs and recommends specific and financially realistic  
11 improvements to preserve the structural integrity of the state highway  
12 system, ensure acceptable operating conditions, and provide for  
13 enhanced access to scenic, recreational, and cultural resources. The  
14 state highway system plan shall contain the following elements:

15 (a) A system preservation element, which shall establish structural  
16 preservation objectives for the state highway system including bridges,  
17 identify current and future structural deficiencies based upon analysis  
18 of current conditions and projected future deterioration, and recommend  
19 program funding levels and specific actions necessary to preserve the  
20 structural integrity of the state highway system consistent with  
21 adopted objectives. Lowest life cycle cost methodologies must be used  
22 in developing a pavement management system. This element shall serve  
23 as the basis for the preservation component of the six-year highway  
24 program and the two-year biennial budget request to the legislature;

25 (b) A highway maintenance element, establishing service levels for  
26 highway maintenance on state-owned highways (~~that meet benchmarks~~  
27 ~~established by the transportation commission~~). The highway  
28 maintenance element must include an estimate of costs for achieving  
29 those service levels over twenty years. This element will serve as the  
30 basis for the maintenance component of the six-year highway program and  
31 the two-year biennial budget request to the legislature;

32 (c) A capacity and operational improvement element, which shall  
33 establish operational objectives, including safety considerations, for  
34 moving people and goods on the state highway system, identify current  
35 and future capacity, operational, and safety deficiencies, and  
36 recommend program funding levels and specific improvements and  
37 strategies necessary to achieve the operational objectives. In

1 developing capacity and operational improvement plans the department  
2 shall first assess strategies to enhance the operational efficiency of  
3 the existing system before recommending system expansion. Strategies  
4 to enhance the operational efficiencies include but are not limited to  
5 access management, transportation system management, demand management,  
6 and high-occupancy vehicle facilities. The capacity and operational  
7 improvement element must conform to the state implementation plan for  
8 air quality and be consistent with regional transportation plans  
9 adopted under chapter 47.80 RCW, and shall serve as the basis for the  
10 capacity and operational improvement portions of the six-year highway  
11 program and the two-year biennial budget request to the legislature;

12 (d) A scenic and recreational highways element, which shall  
13 identify and recommend designation of scenic and recreational highways,  
14 provide for enhanced access to scenic, recreational, and cultural  
15 resources associated with designated routes, and recommend a variety of  
16 management strategies to protect, preserve, and enhance these  
17 resources. The department, affected counties, cities, and towns,  
18 regional transportation planning organizations, and other state or  
19 federal agencies shall jointly develop this element;

20 (e) A paths and trails element, which shall identify the needs of  
21 nonmotorized transportation modes on the state transportation systems  
22 and provide the basis for the investment of state transportation funds  
23 in paths and trails, including funding provided under chapter 47.30  
24 RCW.

25 (2) The state ferry system plan, which shall guide capital and  
26 operating investments in the state ferry system. The plan shall  
27 establish service objectives for state ferry routes, forecast travel  
28 demand for the various markets served in the system, develop strategies  
29 for ferry system investment that consider regional and statewide  
30 vehicle and passenger needs, support local land use plans, and assure  
31 that ferry services are fully integrated with other transportation  
32 services. The plan must provide for maintenance of capital assets.  
33 The plan must also provide for preservation of capital assets based on  
34 lowest life cycle cost methodologies. The plan shall assess the role  
35 of private ferries operating under the authority of the utilities and  
36 transportation commission and shall coordinate ferry system capital and  
37 operational plans with these private operations. The ferry system plan

1 must be consistent with the regional transportation plans for areas  
2 served by the state ferry system, and shall be developed in conjunction  
3 with the ferry advisory committees.

4 **Sec. 10.** RCW 47.06.140 and 1998 c 171 s 7 are each amended to read  
5 as follows:

6 The legislature declares the following transportation facilities  
7 and services to be of statewide significance: Highways of statewide  
8 significance as designated by the legislature under chapter 47.05 RCW,  
9 the interstate highway system, interregional state principal arterials  
10 including ferry connections that serve statewide travel, intercity  
11 passenger rail services, intercity high-speed ground transportation,  
12 major passenger intermodal terminals excluding all airport facilities  
13 and services, the freight railroad system, the Columbia/Snake navigable  
14 river system, marine port facilities and services that are related  
15 solely to marine activities affecting international and interstate  
16 trade, and high-capacity transportation systems serving regions as  
17 defined in RCW 81.104.015. The department, in cooperation with  
18 regional transportation planning organizations, counties, cities,  
19 transit agencies, public ports, private railroad operators, and private  
20 transportation providers, as appropriate, shall plan for improvements  
21 to transportation facilities and services of statewide significance in  
22 the statewide multimodal transportation plan. Improvements to  
23 facilities and services of statewide significance identified in the  
24 statewide multimodal transportation plan, or to highways of statewide  
25 significance designated by the legislature under chapter 47.05 RCW, are  
26 essential state public facilities under RCW 36.70A.200.

27 The department of transportation, in consultation with local  
28 governments, shall set level of service standards for state highways  
29 and state ferry routes of statewide significance. Although the  
30 department shall consult with local governments when setting level of  
31 service standards, the department retains authority to make final  
32 decisions regarding level of service standards for state highways and  
33 state ferry routes of statewide significance. In establishing level of  
34 service standards for state highways and state ferry routes of  
35 statewide significance, the department shall consider the necessary  
36 balance between providing for the free interjurisdictional movement of

1 people and goods and the needs of local communities using these  
2 facilities.

3 NEW SECTION. **Sec. 11.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 47.01.370 (Review of performance and outcome measures of  
6 transportation-related agencies--Definition) and 2006 c 334 s 44;

7 (2) RCW 47.05.051 (Ten-year comprehensive investment program--  
8 Priority selection criteria--Improvement program criteria) and 2006 c  
9 334 s 47, 2005 c 319 s 11, 2002 c 189 s 3, 2002 c 5 s 406, 1998 c 175  
10 s 12, 1993 c 490 s 5, 1987 c 179 s 5, 1979 ex.s. c 122 s 5, & 1975 1st  
11 ex.s. c 143 s 4; and

12 (3) RCW 47.06.030 (Transportation policy plan) and 1997 c 369 s 8  
13 and 1993 c 446 s 3.

14 NEW SECTION. **Sec. 12.** RCW 47.01.012 is recodified as a section in  
15 chapter 47.04 RCW.

--- END ---