

EHB 1382 - S AMD TO TRAN COMM AMD (S-2570.4/11) 299
By Senator Ericksen

NOT ADOPTED 04/09/2011

1 Beginning on page 1, line 3 of the amendment, strike all material
2 through page 10, line 2 and insert the following:

3 "NEW SECTION. **Sec. 1.** The legislature acknowledges that public-
4 private initiatives provide benefits to both the public and private
5 sectors. Such initiatives will provide the state with increased access
6 to project development opportunities and financial and development
7 expertise, and will supplement state transportation revenues, allowing
8 the state to use its limited resources for other needed projects.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01 RCW
10 to read as follows:

11 (1) The department may solicit, evaluate, negotiate, and administer
12 a public-private partnership for the construction, operation, and
13 maintenance of high occupancy toll lanes on Interstate 405 between the
14 junctions with Interstate 5 on the north end and NE 6th Street in the
15 city of Bellevue on the south end. Any public-private partnership
16 proposal entered into by the department must demonstrate that revenues
17 generated on high occupancy toll lanes on Interstate 405 will, at a
18 minimum, exceed operating costs of the toll facility and provide at
19 least fifty percent of the planned capital construction costs for
20 capacity improvements on Interstate 405 between Bellevue and Renton,
21 identified as option four in the department's eastside corridor tolling
22 study provided to the legislature in January 2010.

23 (2) Any public-private partnership agreements for constructing and
24 operating high occupancy toll lanes on Interstate 405 entered into by
25 the department should establish the conditions under which the private
26 developer may secure the approval necessary to: Develop and operate
27 the proposed transportation facilities; create a framework to attract
28 the private capital necessary to finance their development; ensure that
29 the proposed transportation facilities will be designed, constructed,

1 and operated in accordance with applicable local, regional, state, and
2 federal laws and the applicable standards and policies of the
3 department; and require a demonstration that the proposed
4 transportation facilities have the support of the affected communities
5 and local jurisdictions.

6 (3) If, by June 1, 2011, no public-private partnership has been
7 entered into by the department for the purposes identified in
8 subsection (1) of this section, the department shall construct the
9 Interstate 405/Kirkland Vicinity - Stage 2 widening project, funded in
10 part by the 2003 nickel funding package, as soon as practicable to
11 provide additional general purpose lane capacity on Interstate 405.

12 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and takes effect
15 immediately."

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16 On page 10, beginning on line 4 of the title amendment, after
17 "insert" strike the remainder of the title and insert "adding a new
18 section to chapter 47.01 RCW; creating a new section; and declaring an
19 emergency."

EFFECT: Authorizes WSDOT to enter into a public-private
partnership agreement for a private entity to construct, operate, and
maintain high occupancy toll (HOT) lanes on I-405, between I-5 and
Bellevue.

A public-private partnership agreement must demonstrate that
operating costs and at least 50% of capital costs for planned
improvements between Bellevue and Renton would be covered by revenues
from the HOT lanes system.

If a public-private partnership is not entered into by June 1, 2011, for I-405 HOT lanes, the department shall construct the planned improvements in this section of I-405 as general purpose lanes.

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