

SENATE BILL REPORT

SB 6444

As of January 27, 2012

Title: An act relating to eligible toll facilities.

Brief Description: Concerning eligible toll facilities.

Sponsors: Senators Haugen and Fain; by request of Department of Transportation.

Brief History:

Committee Activity: Transportation: 1/24/12.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Clint McCarthy (786-7319)

Background: The State Route 99 (SR 99) Alaskan Way Viaduct is a major arterial serving significant numbers of freight and passenger vehicles through downtown Seattle. The facility sustained damage during the 2001 Nisqually earthquake, and is susceptible to damage, closure, or catastrophic failure from additional earthquakes and tsunamis. ESSB 5768 enacted during the 2009 regular legislative session required the State to expedite the environmental review and design processes to replace the Alaskan Way Viaduct with a deep bore tunnel under First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street Tunnel. In addition, the SR 99 Alaskan Way Viaduct Replacement Project finance plan must include no more than \$400 million in toll revenue.

ESHB 1773 enacted during the 2008 regular legislative session stated that all revenue from an eligible toll facility must be used only to construct, improve, preserve, maintain, manage, or operate the eligible toll facility on or in which the revenue is collected.

Summary of Bill: Tolling is authorized by the Legislature on the central waterfront section of SR 99 between milepost 30 at the north end of the Atlantic Bridge to milepost 32 at the south end of the Mercer Bridge in the city of Seattle. The purpose of tolling the SR 99 Alaskan Way Viaduct is to help finance the project and to help maintain travel time, speed, and reliability on the portion of SR 99 that would be replaced by this project. The state tolling authority – Washington State Transportation Commission – is directed to impose a variable schedule of toll rates to maintain traffic flow. The state tolling authority may adjust the variable schedule of toll rates at least annually to reflect inflation and pay for the redemption of bonds and other obligations of the tolling authority.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Two accounts are created in the state treasury. Alaskan Way Viaduct Replacement Project Account. Deposits into the account include all proceeds of bonds issued for construction of the Alaskan Way Viaduct Replacement Project and all tolls and other revenues received from the operation of the Alaskan Way Viaduct Replacement Project as a toll facility.

Toll Facilities Account. Current law is amended to allow eligible toll facilities to be combined with one or more eligible toll facilities as part of a system of eligible toll facilities upon approval of the State Finance Committee (SFC). Once SFC approves the combination of eligible toll facilities, each separate special account previously created in the state treasury are combined into a single special account for combined eligible toll facilities called the Toll Facilities Account.

Various technical corrections are made to certain statutes impacted by previous tolling-related legislation.

Appropriation: None

Fiscal Note: Requested on January 23, 2012.
[OFM requested 10-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The Alaskan Way Viaduct Replacement is important to freight, economic investment, and safety. The Viaduct is past due for replacement. A Record of Decision has been issued in the environmental process, which includes an expectation from the federal government that the state will toll the facility. The project cannot be completed without some tolling. We cannot wait to pass a toll authorization, the funding is needed for the construction that is currently under contract for \$2.35 billion so far. Contracts that connect tunnel to surface streets will be let later this year. Those contracts will exceed the \$2.4 billion that is budgeted. The Washington State Department of Transportation (WSDOT) has \$500 million in federal funds. Fully funding the Viaduct replacement will put contractors back to work.

Persons Testifying: PRO: Ron Judd, Kimberly Farley, WSDOT, David Myers, WA State Building Construction Trade Council; Dick Ford, WA State Transportation Committee.