

# SENATE BILL REPORT

## SB 6444

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As Reported by Senate Committee On:  
Transportation, February 6, 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, 2/06/12 [DPS].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 6444 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Eide, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Ericksen, Frockt, Hill, Hobbs, Litzow, Prentice, Ranker, Sheldon, Shin and Swecker.

**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 (Recommended Substitute):** Tolling is authorized by the Legislature on the deep bore tunnel between First Avenue from the vicinity of the sports stadiums in Seattle

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to Aurora Avenue north of the Battery Street tunnel. 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.

Allows the toll facility bond retirement account to retain its interest earnings to make it consistent with other toll accounts.

Creates the 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.

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

**EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute):** The substitute further defines the portion of the state route 99 to be tolled as the deep bore tunnel between First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street tunnel. The substitute allows the toll facility bond retirement account to retain its interest earnings and eliminates language that gave the state finance committee the authority to merge tolled facility accounts.

**Appropriation:** None

**Fiscal Note:** Available.

[OFM requested ten-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 on Original Bill:** 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.