

ESSB 6001 - H AMD 960
By Representative Clibborn

ADOPTED 03/11/2014

1 Strike everything after the enacting clause and insert the
2 following:

3 "2013-2015 FISCAL BIENNIUM
4 GENERAL GOVERNMENT AGENCIES--OPERATING

5 **Sec. 101.** 2013 c 306 s 101 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

8 Motor Vehicle Account--State Appropriation (~~(\$435,000)~~)
9 \$433,000

10 The appropriation in this section is subject to the following
11 conditions and limitations: The entire appropriation is provided
12 solely for staffing costs to be dedicated to state transportation
13 activities. Staff hired to support transportation activities must have
14 practical experience with complex construction projects.

15 **Sec. 102.** 2013 c 306 s 102 (uncodified) is amended to read as
16 follows:

17 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

18 Grade Crossing Protective Account--State
19 Appropriation \$504,000

20 The appropriation in this section is subject to the following
21 conditions and limitations:

22 (1) Within existing resources, the commission must work with
23 stakeholders to study the safety of equipment, driver qualifications,
24 insurance levels, safety of operations, and the past accidents of
25 charter party carriers providing railroad crew transportation.

26 (2) The study must include a review of current practices regarding:

27 (a) Driver qualifications, including a driver's experience and

- 1 skill, physical condition, type or class of license, and any license
- 2 suspensions or revocations;
- 3 (b) Equipment safety;
- 4 (c) Safety of operations;
- 5 (d) Passenger safety;
- 6 (e) Insurance coverage levels, including liability coverage,
- 7 uninsured and underinsured motorist coverage, and property damage
- 8 coverage; and
- 9 (f) Safety complaints received by the commission.

10 (3) This study must also include examination of past accidents
 11 involving vehicles regulated under chapter 81.61 RCW.

12 (4) The commission must provide a report to the legislature by
 13 December 31, 2014, summarizing the findings to date, including
 14 recommendations for avoiding accidents in the future and providing
 15 recommended statutory changes that would enhance public safety.

16 **Sec. 103.** 2013 c 306 s 103 (uncodified) is amended to read as
 17 follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

19 Motor Vehicle Account--State Appropriation	((\$1,641,000))
	<u>\$1,636,000</u>
21 Puget Sound Ferry Operations Account--State	
22 Appropriation	\$176,000
23 TOTAL APPROPRIATION	((\$1,817,000))
	<u>\$1,812,000</u>

25 The appropriations in this section are subject to the following
 26 conditions and limitations:

27 (1) \$932,000 of the motor vehicle account--state appropriation is
 28 provided solely for the office of financial management, from funds set
 29 aside out of statewide fuel taxes distributed to counties according to
 30 RCW 46.68.120(3), to contract with the Washington state association of
 31 counties to identify, analyze, evaluate, and implement county
 32 transportation performance measures associated with transportation
 33 system policy goals outlined in RCW 47.04.280. The Washington state
 34 association of counties, in cooperation with state agencies, must:
 35 Identify, analyze, and report on county transportation system
 36 preservation; identify, evaluate, and report on opportunities to

1 streamline reporting requirements for counties; and evaluate project
2 management tools to help improve project delivery at the county level.
3 (2) \$70,000 of the Puget Sound ferry operations account--state
4 appropriation is provided solely for the state's share of the marine
5 salary survey.

6 **Sec. 104.** 2013 c 306 s 106 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF AGRICULTURE**
9 Motor Vehicle Account--State Appropriation ((~~\$1,208,000~~))
10 \$1,203,000

11 The appropriation in this section is subject to the following
12 conditions and limitations:

13 (1) \$351,000 of the motor vehicle account--state appropriation is
14 provided solely for costs associated with the motor fuel quality
15 program.

16 (2) \$857,000 of the motor vehicle account--state appropriation is
17 provided solely to test the quality of biofuel. The department must
18 test fuel quality at the biofuel manufacturer, distributor, and
19 retailer.

20 **Sec. 105.** 2013 c 306 s 107 (uncodified) is amended to read as
21 follows:

22 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**
23 Motor Vehicle Account--State Appropriation ((~~\$529,000~~))
24 \$527,000

25 **TRANSPORTATION AGENCIES--OPERATING**

26 **Sec. 201.** 2013 c 306 s 201 (uncodified) is amended to read as
27 follows:

28 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**
29 Highway Safety Account--State Appropriation ((~~\$3,017,000~~))
30 \$3,027,000
31 Highway Safety Account--Federal Appropriation ((~~\$40,699,000~~))
32 \$40,780,000
33 Highway Safety Account--Private/Local Appropriation ((~~\$50,000~~))

1		<u>\$118,000</u>
2	School Zone Safety Account--State Appropriation	((<u>\$1,800,000</u>))
3		<u>\$1,700,000</u>
4	TOTAL APPROPRIATION	((<u>\$45,566,000</u>))
5		<u>\$45,625,000</u>

6 The appropriations in this section are subject to the following
7 conditions and limitations:

8 (1) The commission shall develop and implement, in collaboration
9 with the Washington state patrol, a target zero team pilot program in
10 Yakima and Spokane counties. The pilot program must demonstrate the
11 effectiveness of intense, high visibility driving under the influence
12 enforcement in Washington state. The commission shall apply to the
13 national highway traffic safety administration for federal highway
14 safety grants to cover the cost of the pilot program.

15 (2) \$20,000,000 of the highway safety account--federal
16 appropriation is provided solely for federal funds that may be
17 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
18 2013-2015 fiscal biennium.

19 ~~((+4))~~ (3) The commission may continue to oversee pilot projects
20 implementing the use of automated traffic safety cameras to detect
21 speed violations within cities west of the Cascade mountains that have
22 a population over one hundred ninety-five thousand. For the purposes
23 of pilot projects in this subsection, no more than one automated
24 traffic safety camera may be used to detect speed violations within any
25 one jurisdiction.

26 (a) The commission shall comply with RCW 46.63.170 in administering
27 the pilot projects.

28 (b) By January 1, 2015, any local authority that is operating an
29 automated traffic safety camera to detect speed violations must provide
30 a summary to the transportation committees of the legislature
31 concerning the use of the cameras and data regarding infractions,
32 revenues, and costs.

33 (4)(a) The commission shall coordinate with counties to implement
34 and administer a statewide yellow dot program that will provide a
35 yellow dot window decal and yellow dot folder during the 2013-2015
36 fiscal biennium.

37 (b) The commission may utilize available federal dollars and state
38 dollars to implement and administer the program. The commission may

1 accept donations and partnership funds through the state's existing
2 donation process and deposit the funds to the highway safety account
3 for the start-up and continued support of the program.

4 (c) The commission, in conjunction with counties, shall maintain a
5 separate web page that allows a person to download the yellow dot form
6 to be placed in the yellow dot folder and lists the locations in which
7 a person may pick up the yellow dot window decal and folder. The
8 commission and counties may not collect any personal information. A
9 person using the program is responsible for maintaining the information
10 in the yellow dot folder. Participation in the program does not create
11 any new or distinct obligation for emergency medical responders or law
12 enforcement personnel to determine if there is a yellow dot folder in
13 the motor vehicle or use the information contained in the yellow dot
14 folder.

15 (d) The commission may adopt rules necessary to implement this
16 subsection.

17 (5) During the 2013-2015 fiscal biennium, the commission shall
18 continue to provide funding to counties for target zero task forces at
19 the same annual allotment levels that were in place January 1, 2014.
20 By December 1, 2014, the commission must report to the transportation
21 committees of the legislature on any proposed changes in funding levels
22 for target zero task forces in the 2015-2017 fiscal biennium.

23 **Sec. 202.** 2013 c 306 s 202 (uncodified) is amended to read as
24 follows:

25 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

26 Rural Arterial Trust Account--State Appropriation	((\$945,000))
	<u>\$939,000</u>
28 Motor Vehicle Account--State Appropriation	((\$2,186,000))
	<u>\$2,195,000</u>
30 County Arterial Preservation Account--State	
31 Appropriation	((\$1,456,000))
	<u>\$1,446,000</u>
33 TOTAL APPROPRIATION	((\$4,587,000))
	<u>\$4,580,000</u>

35 **Sec. 203.** 2013 c 306 s 203 (uncodified) is amended to read as
36 follows:

1 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

2 Transportation Improvement Account--State

3 Appropriation ((~~\$3,804,000~~))

4 \$3,900,000

5 **Sec. 204.** 2013 c 306 s 204 (uncodified) is amended to read as
6 follows:

7 **FOR THE JOINT TRANSPORTATION COMMITTEE**

8 Motor Vehicle Account--State Appropriation ((~~\$1,330,000~~))

9 \$1,575,000

10 The appropriation in this section is subject to the following
11 conditions and limitations:

12 (1)(a) \$325,000 of the motor vehicle account--state appropriation
13 is for a study of transportation cost drivers and potential
14 efficiencies to contain project costs and gain more value from
15 investments in Washington state's transportation system. The goal is
16 to enable the department of transportation to construct bridge and
17 highway projects more quickly and to build and operate them at a lower
18 cost, while ensuring that appropriate environmental and regulatory
19 protections are maintained and a quality project is delivered. The
20 joint transportation committee must convene an advisory panel to
21 provide study guidance and discuss potential efficiencies and
22 recommendations. The scope of the study must be limited to state-level
23 policies and practices relating to the planning, design, permitting,
24 construction, financing, and operation of department of transportation
25 roadway and bridge projects. The study must:

- 26 (i) Identify best practices;
- 27 (ii) Identify inefficiencies in state policy or agency practice
28 where changes may save money;
- 29 (iii) Recommend changes to improve efficiency and save money; and
- 30 (iv) Identify potential savings to be achieved by adopting changes
31 in practice or policy.

32 (b) The joint transportation committee shall issue a report of its
33 findings to the house of representatives and senate transportation
34 committees by December 31, 2013.

35 (2) The joint transportation committee shall coordinate a work
36 group comprised of the department of licensing, the department of
37 revenue, county auditors or other agents, and subagents to identify

1 possible issues relating to the administration of, compliance with, and
2 enforcement of the existing statutory requirement for a person to
3 provide an unexpired driver's license when registering a vehicle. The
4 work group shall provide recommendations on how administration and
5 enforcement may be modified, as needed, to address any identified
6 issues, including whether statutory changes may be needed. A report
7 presenting the recommendations must be presented to the house of
8 representatives and senate transportation committees by December 31,
9 2013.

10 (3) The joint transportation committee shall continue to convene a
11 subcommittee for legislative oversight of the I-5/Columbia river
12 crossing bridge replacement project. The Columbia river crossing
13 legislative oversight subcommittee must be made up of six members: Two
14 appointed by the cochairs of the senate transportation committee, two
15 appointed by the chair and ranking member of the house of
16 representatives transportation committee, one designee of the governor,
17 and one citizen jointly appointed by the four members of the joint
18 transportation executive committee. The citizen appointee must be a
19 Washington state resident of the area served by the bridge. At least
20 two of the legislative members must be from the legislative districts
21 served by the bridge. In addition to reviewing project and financing
22 information, the subcommittee must also coordinate with the Oregon
23 legislative oversight committee for the Columbia river crossing bridge.

24 (4) The joint transportation committee shall convene a work group
25 to identify and evaluate internal refinance opportunities for the
26 Tacoma Narrows bridge. The study must include a staff work group,
27 including staff from the office of financial management, the
28 transportation commission, the department of transportation, the office
29 of the state treasurer, and the legislative transportation committees.
30 The joint transportation committee shall issue a report of its findings
31 to the house of representatives and the senate transportation
32 committees by December 31, 2013.

33 (5) The joint transportation committee shall study and review the
34 use of surplus property proceeds to fund facility replacement projects,
35 and the possibility of using the north central region as a pilot. The
36 joint transportation committee shall consult with the department of
37 transportation and the office of financial management regarding the

1 department's current process for prioritizing and funding facility
2 improvement and replacement projects.

3 (6) \$250,000 of the motor vehicle account--state appropriation is
4 for the joint transportation committee to evaluate the current status
5 of electric vehicle charging stations in Washington, and to make
6 recommendations regarding potential business models for financially-
7 sustainable electric vehicle charging networks and alternative roles
8 for public and private sector participation in those business models.
9 Public sector participation may include public financing, funding,
10 facilitation, and other incentives to encourage installation of
11 electric vehicle charging stations. In conducting the study, the
12 committee must coordinate with the department of transportation and
13 consult with local governments and stakeholders in the electric vehicle
14 industry. The committee may also consult with users of electric
15 vehicles and stakeholders representing manufacturers and operators of
16 electric vehicle charging stations. The committee shall submit an
17 interim report by December 31, 2014, and a final report by March 1,
18 2015.

19 (7) The joint transportation committee shall coordinate a work
20 group to review the existing titling and registration processes along
21 with policies that county auditors, subagents, and agents must comply
22 with when conducting title and registration transactions. The goal and
23 related outcomes of the work group review are to provide
24 recommendations to streamline processes, modernize policies, and
25 identify potential information technology opportunities. Members of
26 the work group shall only include county auditors, subagents, agents,
27 and the department of licensing. The work group shall submit a report
28 to the transportation committees of the legislature on or before
29 December 1, 2014.

30 (8) The joint transportation committee shall coordinate a work
31 group comprised of representatives from the department of licensing,
32 the Washington state traffic safety commission, and other stakeholders
33 as deemed necessary, along with interested legislators, to develop
34 parameters for and make recommendations regarding a pilot program that
35 would allow students to meet traffic safety education requirements
36 online. Additionally, the work group shall make recommendations
37 related to requiring driver training to individuals between the ages of
38 eighteen and twenty-four who have not previously passed a driver

1 training education program or other methods of enhancing the safety of
2 this high-risk group. The joint transportation committee shall issue
3 a report of its findings to the transportation committees of the house
4 of representatives and senate by December 1, 2014.

5 **Sec. 205.** 2013 c 306 s 205 (uncodified) is amended to read as
6 follows:

7 **FOR THE TRANSPORTATION COMMISSION**

8	Motor Vehicle Account--State Appropriation	((\$2,947,000))
9		<u>\$3,516,000</u>
10	Multimodal Transportation Account--State	
11	Appropriation	\$112,000
12	TOTAL APPROPRIATION	((\$3,059,000))
13		<u>\$3,628,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
17 during the 2013-2015 fiscal biennium, the legislature authorizes the
18 transportation commission to periodically review and, if necessary,
19 adjust the schedule of fares for the Washington state ferry system only
20 in amounts not greater than those sufficient to generate the amount of
21 revenue required by the biennial transportation budget. When adjusting
22 ferry fares, the commission must consider input from affected ferry
23 users by public hearing and by review with the affected ferry advisory
24 committees, in addition to the data gathered from the current ferry
25 user survey.

26 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
27 2015 fiscal biennium, the legislature authorizes the transportation
28 commission to periodically review and, if necessary, adjust the
29 schedule of toll charges applicable to the Tacoma Narrows bridge only
30 in amounts not greater than those sufficient to support (a) any
31 required costs for operating and maintaining the toll bridge, including
32 the cost of insurance, (b) any amount required by law to meet the
33 redemption of bonds and applicable interest payments, and (c) repayment
34 of the motor vehicle fund.

35 (3) Consistent with RCW 43.135.055 and 47.56.880, during the
36 2013-2015 fiscal biennium, the legislature authorizes the

1 transportation commission to set, periodically review, and, if
2 necessary, adjust the schedule of toll charges applicable to the
3 Interstate 405 express toll lanes.

4 (4)(a) \$400,000 of the motor vehicle account--state appropriation
5 is provided solely for the development of the business case for the
6 transition to a road usage charge system as the basis for funding the
7 state transportation system, from the current motor fuel tax system.
8 The funds are provided for fiscal year 2014 only.

9 (b) The legislature finds that the efforts started in the 2011-2013
10 fiscal biennium regarding the transition to a road usage charge system
11 represent an important first step in the policy and conceptual
12 development of potential alternative systems to fund transportation
13 projects, but that the governance for the development needs
14 clarification. The legislature also finds that significant amounts of
15 research and public education are occurring in similar efforts in
16 several states and that these efforts can and should be leveraged to
17 advance the evaluation in Washington. The legislature intends,
18 therefore, that the commission and its staff lead the policy
19 development of the business case for a road usage charge system, with
20 the goal of providing the business case to the governor and the
21 legislative committees of the legislature in time for inclusion in the
22 2014 supplemental omnibus transportation appropriations act. The
23 legislature intends for additional oversight in the business case
24 development, with guidance from a steering committee as provided in
25 chapter 86, Laws of 2012, augmented with participation by the joint
26 transportation committee. The legislature further intends that the
27 department of transportation continue to address administrative,
28 technical, and conceptual operational issues related to road usage
29 charge systems, and that the department serve as a resource for
30 information gleaned from other states on this topic for the
31 commission's efforts.

32 (c) For the purposes of this subsection (~~((3))~~) (4), the commission
33 shall:

34 (i) Develop preliminary road usage charge policies that are
35 necessary to develop the business case, as well as supporting research
36 and data that will guide the potential application in Washington;

37 (ii) Develop the preferred operational concept or concepts that
38 reflect the preliminary policies;

1 (iii) Evaluate the business case for the road usage charge system
2 that would result from implementing the preliminary policies and
3 preferred operational concept or concepts. The evaluation must assess
4 likely financial outcomes if the system were to be implemented; and

5 (iv) Identify and document policy and other issues that are deemed
6 important to further refine the preferred operational concept or
7 concepts and to gain public acceptance. These identified issues should
8 form the basis for continued work beyond this funding cycle.

9 (d) The commission shall convene a steering committee to guide the
10 development of the business case. The membership must be the same as
11 provided in chapter 86, Laws of 2012, except that the membership must
12 also include the joint transportation committee executive members.

13 (e) The commission shall submit a report of the business case to
14 the governor and the transportation committees of the legislature by
15 December 15, 2013. The report must also include a proposed budget and
16 work plan for fiscal year 2015. A progress report must be submitted to
17 the governor and the joint transportation committee by November 1,
18 2013, including a presentation to the joint transportation committee.

19 ((+4)) (5) \$174,000 of the motor vehicle account--state
20 appropriation is provided solely for the voice of Washington survey
21 program. The funding must be utilized for continued program
22 maintenance and two transportation surveys for the 2013-2015 fiscal
23 biennium.

24 (6)(a) \$450,000 of the motor vehicle account--state appropriation
25 is provided solely for a work plan to further develop the concept of a
26 road usage charge system. The work plan must include: Refinement of
27 initial policy analysis and development, a concept of operations that
28 incorporates refined policy inputs, and a financial analysis evaluating
29 the operational concept. The refinement of initial policy analysis and
30 development funded under this subsection must be supplemented by the
31 products of complementary policy refinement tasks delegated to the
32 department of transportation in section 214 of this act and the office
33 of the state treasurer in section 703 of this act. It is the intent of
34 the legislature that consideration for potential planning for a pilot
35 project and any risk analysis occur in the 2015 legislative session.

36 (b)(i) For the purposes of the refinement of initial policy
37 analysis and development, the work plan must consider phasing and

1 staging of how a road usage charge would be implemented as it relates
2 to the types of vehicles that would be subject to a road usage charge
3 and the nature and manner of a transition period.

4 (ii) For the purposes of this subsection (6)(b), the legislature
5 intends that the commission focus its analysis by assuming that the
6 exemptions under a road usage charge would be the same as those under
7 the motor vehicle fuel and special fuel taxes. In addition, the
8 commission must engage the road usage charge steering committee, which
9 was reauthorized in chapter 306, Laws of 2013 for fiscal year 2014 and
10 is hereby reauthorized in this act with the same membership, to
11 continue in its role and, at a minimum, to guide the work specified in
12 (a) of this subsection, including the following: Assessing and
13 recommending the type of vehicles that would be subject to the road
14 usage charge, and assessing and recommending the options for the timing
15 and duration of the transition period. The steering committee shall
16 report its findings and guidance to the commission by December 1, 2014.

17 (c)(i) For the purposes of the development of the concept of
18 operations, the development must incorporate the products of (b) of
19 this subsection, and, to the extent practicable, the products of work
20 conducted by the department of transportation in section 214 of this
21 act and the office of the state treasurer in section 703 of this act.

22 (ii) To reduce system development and operational costs, for road
23 user charge options that rely on in-vehicle devices to record mileage,
24 the work plan must recommend how the state can utilize the technology
25 and back-office platforms that are scheduled to be provided by
26 commercial account managers under the Oregon road usage charge program.

27 (iii) In addition to a time permit and an odometer charge, the
28 concept of operations recommendation must be developed to include a
29 means for periodic payments based on mileage reporting utilizing
30 methods other than onboard diagnostic in-vehicle devices.

31 (d) The work plan and recommendations, along with a proposed work
32 plan and budget for the 2015-2017 fiscal biennium, must be submitted by
33 the commission to the transportation committees of the legislature by
34 January 15, 2015.

35 (7) Within existing resources, the commission shall undertake a
36 study of the urban and rural financial and equity implications of a
37 potential road usage charge system in Washington. The commission shall
38 work with the department of transportation and the department of

1 licensing to conduct this analysis. For any survey work that is
2 considered, the commission should utilize the existing voice of
3 Washington survey panel and budget to inform the study. The results
4 must be presented to the governor and the legislature by January 15,
5 2015.

6 (8) \$125,000 of the motor vehicle account--state appropriation is
7 provided solely to update the statewide transportation plan required
8 under RCW 47.01.071(4) with the required federal elements to bring the
9 plan into federal compliance. The legislature intends that a single,
10 statewide transportation plan fulfill the requirements of RCW
11 47.01.071(4) and 47.06.040 and currently known federal planning
12 requirements. The commission shall work collaboratively with the
13 department of transportation to accomplish this intent. The commission
14 shall submit the completed plan to the transportation committees of the
15 legislature, and the department shall submit the completed plan to the
16 United States department of transportation as required under 23 U.S.C.
17 Sec. 135 by June 30, 2015. The commission shall provide a status
18 update on this work to the transportation committees of the legislature
19 by January 1, 2015.

20 **Sec. 206.** 2013 c 306 s 206 (uncodified) is amended to read as
21 follows:

22 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**
23 Motor Vehicle Account--State Appropriation ((\$904,000))
24 \$879,000

25 **Sec. 207.** 2013 c 306 s 207 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**
28 State Patrol Highway Account--State
29 Appropriation ((\$370,354,000))
30 \$366,805,000
31 State Patrol Highway Account--Federal
32 Appropriation ((\$11,137,000))
33 \$11,067,000
34 State Patrol Highway Account--Private/Local
35 Appropriation ((\$3,591,000))
36 \$3,572,000

1 of cadets and necessary computer equipment and to the reimbursement of
2 the department of transportation for contract costs. The appropriation
3 in this subsection must be funded from the portion of the automated
4 traffic safety camera infraction fines deposited into the state patrol
5 highway account; however, if the fines deposited into the state patrol
6 highway account from automated traffic safety camera infractions do not
7 reach three hundred seventy thousand dollars, the department of
8 transportation shall remit funds necessary to the Washington state
9 patrol to ensure the completion of the pilot program. The Washington
10 state patrol may not incur overtime as a result of this pilot program.
11 The Washington state patrol shall not assign troopers to operate or
12 deploy the pilot program equipment used in roadway construction zones.

13 (6) The cost allocation for any costs incurred for the facilities
14 at the Olympia, Washington airport used for the Washington state patrol
15 aviation section must be split evenly between the state patrol highway
16 account and the general fund.

17 (7) The Washington state patrol shall work with the state
18 interoperability executive committee to compile a list of recent
19 studies evaluating the potential savings and benefits of consolidating
20 law enforcement and emergency dispatching centers and report to the
21 joint transportation committee by December 1, 2014, on the findings and
22 recommendations of those studies. As part of this study, the
23 Washington state patrol must look for potential efficiencies within
24 state government.

25 (8) The Washington state patrol shall coordinate and support local
26 law enforcement in Pierce county in providing traffic control on the
27 highways and other activities within current budget during the United
28 States open national golf championship in June 2015.

29 **Sec. 208.** 2013 c 306 s 208 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF LICENSING**

32 Marine Fuel Tax Refund Account--State	
33 Appropriation	\$34,000
34 Motorcycle Safety Education Account--State	
35 Appropriation	((\$4,409,000))
36	<u>\$4,396,000</u>
37 State Wildlife Account--State Appropriation	((\$885,000))

1 (6) \$201,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
4 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
5 2013 is not enacted by June 30, 2013, the amount provided in this
6 subsection lapses.

7 ~~((4))~~ (7) \$425,000 of the highway safety account--state
8 appropriation is provided solely for the implementation of chapter
9 . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner
10 information). If chapter . . . (Substitute Senate Bill No. 5182), Laws
11 of 2013 is not enacted by June 30, 2013, the amount provided in this
12 subsection lapses.

13 ~~((5) \$172,000 of the highway safety account--state appropriation
14 is provided solely for the implementation of chapter . . . (Senate Bill
15 No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .
16 (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,
17 the amount provided in this subsection lapses.~~

18 ~~(6) \$652,000))~~ (8) \$289,000 of the motor vehicle account--state
19 appropriation is provided solely for the implementation of chapter
20 . . . (Second Engrossed Substitute Senate Bill No. 5785), Laws of
21 ~~((2013))~~ 2014 (license plates). If chapter . . . (Second Engrossed
22 Substitute Senate Bill No. 5785), Laws of ~~((2013))~~ 2014 is not enacted
23 by June 30, ~~((2013))~~ 2014, the amount provided in this subsection
24 lapses.

25 ~~((7) \$78,000 of the motor vehicle account--state appropriation and
26 \$3,707,000 of the highway safety account--state appropriation are
27 provided solely for the implementation of chapter . . . (Engrossed
28 Substitute Senate Bill No. 5857), Laws of 2013 (vehicle related fees).
29 If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of
30 2013 is not enacted by June 30, 2013, the amount provided in this
31 subsection lapses.~~

32 ~~(8))~~ (9) The appropriation in this section reflects the department
33 charging an amount sufficient to cover the full cost of providing the
34 data requested under RCW 46.12.630(1)(b).

35 ~~((9))~~ (10)(a) The department must convene a work group to examine
36 the use of parking placards and special license plates for persons with
37 disabilities and develop a strategic plan for ending any abuse. In

1 developing this plan, the department must work with the department of
2 health, disabled citizen advocacy groups, and representatives from
3 local government.

4 (b) The work group must be composed of no more than two
5 representatives from each of the entities listed in (a) of this
6 subsection. The work group may, when appropriate, consult with any
7 other public or private entity in order to complete the strategic plan.

8 (c) The strategic plan must include:

9 (i) Oversight measures to ensure that parking placards and special
10 license plates for persons with disabilities are being properly issued,
11 including: (A) The entity responsible for coordinating a randomized
12 review of applications for special parking privileges; (B) a volunteer
13 panel of medical professionals to conduct such reviews; (C) a means to
14 protect the anonymity of both the medical professional conducting a
15 review and the medical professional under review; (D) a means to
16 protect the privacy of applicants by removing any personally
17 identifiable information; and (E) possible sanctions against a medical
18 professional for repeated improper issuances of parking placards or
19 special license plates for persons with disabilities, including those
20 sanctions listed in chapter 18.130 RCW; and

21 (ii) The creation of a publicly accessible system in which the
22 validity of parking placards and special license plates for persons
23 with disabilities may be verified. This system must not allow the
24 public to access any personally identifiable information or protected
25 health information of a person who has been issued a parking placard or
26 special license plate.

27 (d) The work group must convene by July 1, 2013, and terminate by
28 December 1, 2013.

29 (e) By December 1, 2013, the work group must deliver to the
30 legislature and the appropriate legislative committees the strategic
31 plan required under this subsection, together with its findings,
32 recommendations, and any necessary draft legislation in order to
33 implement the strategic plan.

34 ((+10+)) (11) \$3,082,000 of the highway safety account--state
35 appropriation is provided solely for exam and licensing activities,
36 including the workload associated with providing driver record
37 abstracts, and is subject to the following additional conditions and
38 limitations:

1 (a) The department may furnish driving record abstracts only to
2 those persons or entities expressly authorized to receive the abstracts
3 under Title 46 RCW;

4 (b) The department may furnish driving record abstracts only for an
5 amount that does not exceed the specified fee amounts in RCW 46.52.130
6 (2)(e)(v) and (4); and

7 (c) The department may not enter into a contract, or otherwise
8 participate in any arrangement, with a third party or other state
9 agency for any service that results in an additional cost, in excess of
10 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
11 statutorily authorized persons or entities purchasing a driving record
12 abstract.

13 (12) \$229,000 of the motor vehicle account--state appropriation is
14 provided solely for the implementation of chapter . . . (Engrossed
15 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
16 replacement). If chapter . . . (Engrossed Second Substitute House Bill
17 No. 1129), Laws of 2014 is not enacted by June 30, 2014, the amount
18 provided in this subsection lapses.

19 (13) \$96,000 of the motor vehicle account--state appropriation is
20 provided solely for the implementation of chapter . . . (Engrossed
21 Second Substitute House Bill No. 1902), Laws of 2014 (intermittent-use
22 trailer license plates). If chapter . . . (Engrossed Second Substitute
23 House Bill No. 1902), Laws of 2014 is not enacted by June 30, 2014, the
24 amount provided in this subsection lapses.

25 (14) \$42,000 of the motor vehicle account--state appropriation is
26 provided solely for the implementation of chapter . . . (House Bill No.
27 2100), Laws of 2014 (Seattle University license plates). If chapter
28 . . . (House Bill No. 2100), Laws of 2014 is not enacted by June 30,
29 2014, the amount provided in this subsection lapses.

30 (15) \$46,000 of the motor vehicle account--state appropriation is
31 provided solely for the implementation of chapter . . . (House Bill No.
32 2700), Laws of 2014 (breast cancer awareness license plates). If
33 chapter . . . (House Bill No. 2700), Laws of 2014 is not enacted by
34 June 30, 2014, the amount provided in this subsection lapses.

35 (16) \$42,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of chapter . . . (Engrossed
37 House Bill No. 2752), Laws of 2014 (Washington state tree license

1 plates). If chapter . . . (Engrossed House Bill No. 2752), Laws of
2 2014 is not enacted by June 30, 2014, the amount provided in this
3 subsection lapses.

4 (17) \$32,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of chapter . . . (House Bill
6 No. 2741), Laws of 2014 (initial vehicle registration). If chapter
7 . . . (House Bill No. 2741), Laws of 2014 is not enacted by June 30,
8 2014, the amount provided in this subsection lapses.

9 (18) Within existing resources, the department must convene a work
10 group that includes, at a minimum, representatives from the department
11 of transportation, the trucking industry, manufacturers of compressed
12 natural gas and liquefied natural gas, and any other stakeholders as
13 deemed necessary, for the following purposes:

14 (a) To evaluate the annual license fee in lieu of fuel tax under
15 RCW 82.38.075 to determine a fee that more closely represents the
16 average consumption of vehicles by weight and to make recommendations
17 to the transportation committees of the legislature by December 1,
18 2014, on an updated fee schedule; and

19 (b) To develop a transition plan to move vehicles powered by
20 liquefied natural gas and compressed natural gas from the annual
21 license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030.
22 The transition plan must incorporate stakeholder feedback and must
23 include draft legislation and cost and revenue estimates. The
24 transition plan must be submitted to the transportation committees of
25 the legislature by December 1, 2015.

26 (c) This subsection takes effect if both chapter . . . (Engrossed
27 Substitute Senate Bill No. 6440), Laws of 2014 (compressed natural gas
28 and liquefied natural gas) and chapter . . . (Substitute House Bill No.
29 2753), Laws of 2014 (compressed natural gas and liquefied natural gas)
30 are not enacted by June 30, 2014.

31 (19) \$36,000 of the motor vehicle account--state appropriation is
32 provided solely for the implementation of chapter . . . (Substitute
33 Senate Bill No. 5467), Laws of 2014 (vehicle owner list furnishment
34 requirements). If chapter . . . (Substitute Senate Bill No. 5467),
35 Laws of 2014 is not enacted by June 30, 2014, the amount provided in
36 this subsection lapses.

37 (20) The department must convene a work group to study the issue of
38 regulating tow truck operators that are not licensed as registered tow

1 truck operators under chapter 46.55 RCW. The work group must examine
 2 the advisability of regulating such operators, including any potential
 3 benefits to public safety, and possible methodologies for accomplishing
 4 this regulation. The work group must include the department,
 5 representatives of the Washington state patrol, organized groups of
 6 registered tow truck operators, and automobile clubs. The work group
 7 may also include hulk haulers, wreckers, transporters, and other
 8 stakeholders relating to the issue of unregulated towing for monetary
 9 compensation. The work group shall convene as necessary and report its
 10 recommendations and draft legislation to the transportation committees
 11 of the legislature by December 1, 2014.

12 (21) The department when modernizing its computer systems must
 13 place personal and company data elements in separate data fields to
 14 allow the department to select discrete data elements when providing
 15 information or data to persons or entities outside the department.
 16 This requirement must be included as part of the systems design in the
 17 department's business and technology modernization. A person's photo,
 18 social security number, or medical information must not be made
 19 available through public disclosure or data being provided under RCW
 20 46.12.630 or 46.12.635.

21 **Sec. 209.** 2013 c 306 s 209 (uncodified) is amended to read as
 22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
 24 **MAINTENANCE--PROGRAM B**

25	High-Occupancy Toll Lanes Operations Account--State	
26	Appropriation	((\$1,851,000))
27		<u>\$1,942,000</u>
28	Motor Vehicle Account--State Appropriation	((\$509,000))
29		<u>\$514,000</u>
30	State Route Number 520 Corridor Account--State	
31	Appropriation	((\$32,419,000))
32		<u>\$34,267,000</u>
33	State Route Number 520 Civil Penalties Account--State	
34	Appropriation	((\$4,169,000))
35		<u>\$4,156,000</u>
36	Tacoma Narrows Toll Bridge Account--State	
37	Appropriation	((\$23,730,000))

1 submit the review, along with the status of and plans for the
2 implementation of review recommendations, to the office of financial
3 management and the house of representatives and senate transportation
4 committees by October 15, 2013.

5 (2) (~~(\$10,482,000)~~) \$10,343,000 of the Tacoma Narrows toll bridge
6 account--state appropriation, (~~(\$17,056,000)~~) \$16,534,000 of the state
7 route number 520 corridor account--state appropriation, (~~(\$1,226,000)~~)
8 \$1,217,000 of the high-occupancy toll lanes operations account--state
9 appropriation, and (~~(\$509,000)~~) \$514,000 of the motor vehicle account--
10 state appropriation are provided solely for nonvendor costs of
11 administering toll operations, including the costs of: Staffing the
12 division, consultants and other personal service contracts required for
13 technical oversight and management assistance, insurance, payments
14 related to credit card processing, transponder purchases and inventory
15 management, facility operations and maintenance, and other
16 miscellaneous nonvendor costs.

17 (3) (~~(\$10,907,000)~~) \$11,265,000 of the Tacoma Narrows toll bridge
18 account--state appropriation, (~~(\$9,363,000)~~) \$9,730,000 of the state
19 route number 520 corridor account--state appropriation, and \$625,000 of
20 the high-occupancy toll lanes operations account--state appropriation
21 are provided solely for vendor-related costs of operating tolled
22 facilities, including the costs of: The customer service center; cash
23 collections on the Tacoma Narrows bridge; electronic payment
24 processing; and toll collection equipment maintenance, renewal, and
25 replacement.

26 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
27 appropriation and \$6,000,000 of the state route number 520 corridor
28 account--state appropriation are provided solely for the purposes of
29 addressing unforeseen operations and maintenance costs on the Tacoma
30 Narrows bridge and the state route number 520 bridge, respectively.
31 The office of financial management shall place the amounts provided in
32 this section, which represent a portion of the required minimum fund
33 balance under the policy of the state treasurer, in unallotted status.
34 The office may release the funds only when it determines that all other
35 funds designated for operations and maintenance purposes have been
36 exhausted.

37 (5) (~~(\$4,169,000)~~) \$4,156,000 of the state route number 520 civil
38 penalties account--state appropriation and \$1,039,000 of the Tacoma

1 Narrows toll bridge account--state appropriation are provided solely
2 for expenditures related to the toll adjudication process. The
3 department shall report on the civil penalty process to the office of
4 financial management and the house of representatives and senate
5 transportation committees by the end of each calendar quarter. The
6 reports must include a summary table for each toll facility that
7 includes: The number of notices of civil penalty issued; the number of
8 recipients who pay before the notice becomes a penalty; the number of
9 recipients who request a hearing and the number who do not respond;
10 workload costs related to hearings; the cost and effectiveness of debt
11 collection activities; and revenues generated from notices of civil
12 penalty.

13 (6) The Tacoma Narrows toll bridge account--state appropriation in
14 this section reflects reductions in management costs of \$1,235,000.

15 (7) The department shall make detailed quarterly expenditure
16 reports available to the transportation commission and to the public on
17 the department's web site using current department resources. The
18 reports must include a summary of toll revenue by facility on all
19 operating toll facilities and high occupancy toll lane systems, and an
20 itemized depiction of the use of that revenue.

21 (8) The department shall make detailed quarterly reports to the
22 governor and the transportation committees of the legislature on the
23 use of consultants in the tolling program. The reports must include
24 the name of the contractor, the scope of work, the type of contract,
25 timelines, deliverables, any new task orders, and any extensions to
26 existing consulting contracts.

27 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
28 appropriation is provided solely for the development of a plan to
29 integrate and transition customer service, reservation, and payment
30 systems currently provided by the marine division to ferry users into
31 the statewide tolling customer service center.

32 (b)(i) The department shall develop a plan that addresses:

33 (A) A phased implementation approach, beginning with "Good To Go"
34 as a payment option for ferry users;

35 (B) The feasibility, schedule, and cost of creating a single
36 account-based system for toll road and ferry users;

37 (C) Transitioning customer service currently provided by the marine
38 division to the statewide tolling customer service center; and

1 (D) Transitioning existing and planned ferry reservation system
2 support from the marine division to the statewide tolling customer
3 service center.

4 (ii) The plan must be provided to the office of financial
5 management and the transportation committees of the legislature by
6 January 14, 2014.

7 (10)(a) \$2,019,000 of the Interstate 405 express toll lanes
8 operations account--state appropriation is provided solely for
9 operating and maintenance costs of the Interstate 405 express toll
10 lanes program, including staff costs related to operating an additional
11 toll facility, consulting support for operations, purchase of
12 transponders, costs related to adjudication, credit card fees, printing
13 and postage, and customer service center support. Of the amount
14 provided in this subsection, \$519,000 of the Interstate 405 express
15 toll lanes operations account--state appropriation must be placed in
16 unallotted status by the office of financial management until a plan to
17 begin tolling the Interstate 405 express toll lanes during the summer
18 of 2015 is finalized and approved by the office of financial
19 management, in consultation with the chairs and ranking member of the
20 transportation committees of the legislature.

21 (b) The funds provided in (a) of this subsection are provided
22 through a transfer from the motor vehicle account--state appropriation
23 in section 407(19) of this act. These funds are a loan to the
24 Interstate 405 express toll lanes operations account--state
25 appropriation, and the legislature assumes that these funds will be
26 reimbursed to the motor vehicle account at a later date when the
27 Interstate 405 express toll lanes are operational.

28 (11) \$1,060,000 of the Tacoma narrows toll bridge account--state
29 appropriation, \$2,003,000 of the state route number 520 corridor
30 account--state appropriation, and \$99,000 of the high occupancy toll
31 lanes operations account--state appropriation are provided solely in
32 anticipation of, and to prepare for, the procurement of a new tolling
33 customer service center. Of the amounts provided in this subsection,
34 \$480,000 of the Tacoma narrows toll bridge account--state
35 appropriation, \$906,000 of the state route number 520 corridor
36 account--state appropriation, and \$45,000 of the high occupancy toll
37 lanes operations account--state appropriation must be placed in
38 unallotted status by the office of financial management until a

1 procurement plan is finalized and approved by the office of financial
2 management, in consultation with the chairs and ranking member of the
3 transportation committees of the legislature. Beginning July 1, 2014,
4 the department shall report quarterly to the governor, legislature, and
5 state auditor on: (a) The department's effort to mitigate risk to the
6 state, (b) the development of a request for proposals, and (c) the
7 overall progress towards procuring a new tolling customer service
8 center.

9 **Sec. 210.** 2013 c 306 s 210 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
12 **C**

13	Transportation Partnership Account--State	
14	Appropriation	\$1,460,000
15	Motor Vehicle Account--State Appropriation	((\$68,773,000))
16		<u>\$65,936,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation	((\$363,000))
19		<u>\$2,883,000</u>
20	Transportation 2003 Account (Nickel Account)--State	
21	Appropriation	\$1,460,000
22	<u>Puget Sound Ferry Operations Account--State</u>	
23	<u>Appropriation</u>	<u>\$263,000</u>
24	TOTAL APPROPRIATION	((\$72,056,000))
25		<u>\$72,002,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1) \$290,000 of the motor vehicle account--state appropriation is
29 provided solely for the department's compliance with its national
30 pollution discharge elimination system permit.

31 (2) \$1,460,000 of the transportation partnership account--state
32 appropriation and \$1,460,000 of the transportation 2003 account (nickel
33 account)--state appropriation are provided solely for maintaining the
34 department's project management reporting system.

35 **Sec. 211.** 2013 c 306 s 211 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE,**
2 **OPERATIONS, AND CONSTRUCTION--PROGRAM D--OPERATING**

3 Motor Vehicle Account--State Appropriation (~~(\$26,251,000)~~)
4 \$26,114,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: \$850,000 of the motor vehicle account--
7 state appropriation is provided solely for the department's compliance
8 with its national pollution discharge elimination system permit.

9 **Sec. 212.** 2013 c 306 s 212 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

12 Aeronautics Account--State Appropriation (~~(\$7,361,000)~~)
13 \$7,909,000
14 Aeronautics Account--Federal Appropriation \$2,150,000
15 TOTAL APPROPRIATION (~~(\$9,511,000)~~)
16 \$10,059,000

17 The appropriations in this section are subject to the following
18 conditions and limitations: (~~(\$3,500,000)~~) \$4,065,000 of the
19 aeronautics account--state appropriation is provided solely for airport
20 investment studies and the airport aid grant program, which provides
21 competitive grants to public airports for pavement, safety,
22 maintenance, planning, and security.

23 **Sec. 213.** 2013 c 306 s 213 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
26 **SUPPORT--PROGRAM H**

27 Motor Vehicle Account--State Appropriation (~~(\$47,607,000)~~)
28 \$48,687,000
29 Motor Vehicle Account--Federal Appropriation \$500,000
30 Multimodal Transportation Account--State
31 Appropriation \$250,000
32 TOTAL APPROPRIATION (~~(\$48,357,000)~~)
33 \$49,437,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

1 (1) \$4,423,000 of the motor vehicle account--state appropriation is
2 provided solely for the department's compliance with its national
3 pollution discharge elimination system permit.

4 (2) The real estate services division of the department must
5 recover the cost of its efforts from sale proceeds and fund additional
6 future sales from those proceeds.

7 (3) The legislature recognizes that the Dryden pit site (WSDOT
8 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
9 property under the jurisdiction of the department, and that the public
10 would benefit significantly from the complete enjoyment of the natural
11 scenic beauty and recreational opportunities available at the site.
12 Therefore, pursuant to RCW 47.12.080, the legislature declares that
13 transferring the property to the department of fish and wildlife for
14 recreational use and fish and wildlife restoration efforts is
15 consistent with the public interest in order to preserve the area for
16 the use of the public and the betterment of the natural environment.
17 The department shall work with the department of fish and wildlife and
18 transfer and convey the Dryden pit site to the department of fish and
19 wildlife as-is for an adjusted fair market value reflecting site
20 conditions, the proceeds of which must be deposited in the motor
21 vehicle fund. The department is not responsible for any costs
22 associated with the cleanup or transfer of this property. This
23 subsection expires June 30, 2014.

24 (4) The legislature recognizes that the trail known as the Apple
25 Capital Loop, and its extensions, serve to separate motor vehicle
26 traffic from pedestrians and bicyclists, increasing motor vehicle
27 safety on existing state route number 28. Consistent with chapter
28 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
29 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
30 and 2-09-04569 to Douglas county and the city of East Wenatchee is
31 consistent with the public interest. The legislature directs the
32 department to transfer the property to Douglas county and the city of
33 East Wenatchee. The department must be paid fair market value for any
34 portions of the transferred real property that is later abandoned,
35 vacated, or ceases to be publicly maintained for trail purposes.
36 Douglas county and the city of East Wenatchee must agree to accept
37 responsibility for trail segments within their respective jurisdictions
38 and sign an agreement with the state that the transfer of these parcels

1 to their respective jurisdictions extinguishes any state obligations to
2 improve, maintain, or be in any way responsible for these assets. This
3 subsection expires June 30, 2014.

4 (5) The legislature recognizes that the SR 20/Cook Road realignment
5 and extension project in the city of Sedro-Woolley will enhance the
6 state and local highway systems by providing a more direct route from
7 state route number 20 and state route number 9 to Interstate 5, and
8 will reduce traffic on state route number 20 and state route number 9,
9 improving the capacity of each route. Furthermore, the legislature
10 declares that certain portions of the department's property held for
11 highway purposes located primarily to the north and west of state route
12 number 20, between state route number 20 to the south and F and S Grade
13 Road to the north, in the incorporated limits of Sedro-Woolley in
14 Skagit county, can help facilitate completion of the project.
15 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
16 is the intent of the legislature that the department sell, transfer, or
17 lease, as appropriate, to the city of Sedro-Woolley only those portions
18 of the property necessary to construct the project, including necessary
19 staging areas. However, any staging areas should revert to the
20 department within three years of completion of the project.

21 (6) Within the amounts provided in this section, the department
22 shall create a quality assurance position. This position must provide
23 independent project quality assurance validation and ensure that
24 quality assurance audit functions are accountable at the highest level
25 of the organization.

26 (7) To maximize available resources, the department's efforts to
27 eliminate fish passage barriers caused by state roads and highways must
28 be based on the principle of maximizing habitat recovery through a
29 coordinated investment strategy that, to the maximum extent practical
30 and allowable, prioritizes opportunities: To correct multiple fish
31 barriers in whole streams rather than through individual, isolated
32 projects; to coordinate with other entities sponsoring barrier
33 removals, such as regional fisheries enhancement groups, in a manner
34 that achieves the greatest cost savings to all parties; and to
35 eliminate barriers located furthest downstream in a stream system. The
36 department must also recognize that many of the barriers owned by the
37 state are located in the same stream systems as barriers that are owned
38 by cities and counties with limited financial resources for correction

1 and that state/local partnership opportunities should be sought to
2 address these barriers. This subsection takes effect if chapter . . .
3 (Second Substitute House Bill No. 2251), Laws of 2014 is not enacted by
4 June 30, 2014.

5 (8) \$1,453,000 of the motor vehicle account--state appropriation is
6 provided solely to support increased departmental efforts to dispose of
7 surplus property as directed in subsection (2) of this section. These
8 additional funds are expected to result in up to \$5,000,000 per fiscal
9 biennium in additional revenues through increasing the sale of surplus
10 property. By December 1, 2014, the department shall report to the
11 governor and the chairs and ranking members of the senate and house of
12 representatives transportation committees on the number of surplus
13 property parcels sold and the amount of revenue generated from those
14 sales during 2014.

15 **Sec. 214.** 2013 c 306 s 214 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM**
18 **K**
19 Motor Vehicle Account--State Appropriation ((\$570,000))
20 \$589,000

21 The appropriation in this section is subject to the following
22 conditions and limitations:

23 (1) The legislature finds that the efforts started in the 2011-2013
24 fiscal biennium regarding the transition to a road usage charge system
25 represent an important first step in the policy and conceptual
26 development of potential alternative systems to fund transportation
27 projects, but that the governance for the development needs
28 clarification. The legislature also finds that significant amounts of
29 research and public education are occurring in similar efforts in
30 several states and that these efforts can and should be leveraged to
31 advance the evaluation in Washington. The legislature intends,
32 therefore, that the transportation commission and its staff lead the
33 policy development of the business case for a road usage charge system,
34 with the goal of providing the business case to the governor and the
35 legislative committees of the legislature in time for inclusion in the
36 2014 supplemental omnibus transportation appropriations act. The
37 legislature intends for additional oversight in the business case

1 development, with guidance from a steering committee as provided in
2 chapter 86, Laws of 2012 for the transportation commission, augmented
3 with participation by the joint transportation committee. The
4 legislature further intends that, through the economic partnerships
5 program, the department continue to address administrative, technical,
6 and conceptual operational issues related to road usage charge systems,
7 and that the department serve as a resource for information gleaned
8 from other states on this topic for the transportation commission's
9 efforts.

10 (2) The economic partnerships program must continue to explore
11 retail partnerships at state-owned park-and-ride facilities, as
12 authorized in RCW 47.04.295.

13 (3) The department, in collaboration with the transportation
14 commission, shall work with the office of the state treasurer and the
15 state's bond counsel to explore legal approaches for ensuring that any
16 reduction, refunding, crediting, or repeal of the motor vehicle fuel
17 tax, in whole or in part, can be accomplished without unlawfully
18 impairing the legal rights of motor vehicle fuel tax bond holders. The
19 results of this work must be shared with the transportation committees
20 of the legislature and the office of financial management by September
21 1, 2014.

22 (4) \$21,000 of the motor vehicle account--state appropriation is
23 provided solely as matching funds for the department to partner with
24 other transportation agencies located in the western region of North
25 America to develop strategies and methods for reporting, collecting,
26 crediting, and remitting road usage charges resulting from inter-
27 jurisdictional travel. At least one partnering jurisdiction must share
28 a common border with Washington. The results of this work must be
29 reported to the governor, the transportation commission, and the
30 transportation committees of the legislature by September 1, 2014.

31 **Sec. 215.** 2013 c 306 s 215 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

34 Highway Safety Account--State Appropriation	\$10,000,000
35 Motor Vehicle Account--State Appropriation	(\$390,040,000)
36	<u>\$391,358,000</u>
37 Motor Vehicle Account--Federal Appropriation	\$7,000,000

1 TOTAL APPROPRIATION ((~~\$407,040,000~~))
2 \$408,358,000

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

5 ~~(1) ((\$377,779,000 of the motor vehicle account state~~
6 ~~appropriation and \$10,000,000 of the highway safety account state~~
7 ~~appropriation are provided solely for the maintenance program to~~
8 ~~achieve specific levels of service on the thirty maintenance targets~~
9 ~~listed by statewide priority in LEAP Transportation Document 2013-4 as~~
10 ~~developed April 23, 2013. Beginning in February 2014, the department~~
11 ~~shall report to the legislature annually on its updated maintenance~~
12 ~~accountability process targets and whether or not the department was~~
13 ~~able to achieve its targets.~~

14 ~~(2) \$8,450,000))~~ \$10,910,000 of the motor vehicle account--state
15 appropriation is provided solely for the department's compliance with
16 its national pollution discharge elimination system permit.

17 ~~((3) \$1,305,000))~~ (2) \$2,605,000 of the motor vehicle account--
18 state appropriation is provided solely for utility fees assessed by
19 local governments as authorized under RCW 90.03.525 for the mitigation
20 of storm water runoff from state highways.

21 ~~((4))~~ (3) The department shall submit a budget decision for the
22 2014 legislative session package that details all costs associated with
23 utility fees assessed by local governments as authorized under RCW
24 90.03.525.

25 ~~((5))~~ (4) \$50,000 of the motor vehicle account--state
26 appropriation is provided solely for clearing and pruning dangerous
27 trees along state route number 542 between mile markers 43 and 48 to
28 prevent safety hazards and delays.

29 ~~((6))~~ (5) \$2,277,000 of the motor vehicle account--state
30 appropriation is provided solely to replace or rehabilitate critical
31 equipment needed to perform snow and ice removal activities and roadway
32 maintenance. These funds may not be used to purchase passenger cars as
33 defined in RCW 46.04.382.

34 **Sec. 216.** 2013 c 306 s 216 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**

1 **OPERATING**

2	Motor Vehicle Account--State Appropriation	((\$50,504,000))
3		<u>\$50,055,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$2,050,000
5	Motor Vehicle Account--Private/Local Appropriation	\$250,000
6	TOTAL APPROPRIATION	((\$52,804,000))
7		<u>\$52,355,000</u>

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

10 (1) \$6,000,000 of the motor vehicle account--state appropriation is
11 provided solely for low-cost enhancements. The department shall give
12 priority to low-cost enhancement projects that improve safety or
13 provide congestion relief. The department shall prioritize low-cost
14 enhancement projects on a statewide rather than regional basis. By
15 September 1st of each even-numbered year, the department shall provide
16 a report to the legislature listing all low-cost enhancement projects
17 prioritized on a statewide rather than regional basis completed in the
18 prior year.

19 (2) \$9,000,000 of the motor vehicle account--state appropriation is
20 provided solely for the department's incident response program.

21 (3) During the 2013-2015 fiscal biennium, the department shall
22 continue a pilot program that expands private transportation providers'
23 access to high occupancy vehicle lanes. Under the pilot program, when
24 the department reserves a portion of a highway based on the number of
25 passengers in a vehicle, the following vehicles must be authorized to
26 use the reserved portion of the highway if the vehicle has the capacity
27 to carry eight or more passengers, regardless of the number of
28 passengers in the vehicle: (a) Auto transportation company vehicles
29 regulated under chapter 81.68 RCW; (b) passenger charter carrier
30 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
31 stretch limousines and stretch sport utility vehicles as defined under
32 department of licensing rules; (c) private nonprofit transportation
33 provider vehicles regulated under chapter 81.66 RCW; and (d) private
34 employer transportation service vehicles. For purposes of this
35 subsection, "private employer transportation service" means regularly
36 scheduled, fixed-route transportation service that is offered by an
37 employer for the benefit of its employees. Nothing in this subsection

1 is intended to authorize the conversion of public infrastructure to
2 private, for-profit purposes or to otherwise create an entitlement or
3 other claim by private users to public infrastructure.

4 (4) The department shall work with the cities of Lynnwood and
5 Edmonds to provide traffic light synchronization on state route number
6 524.

7 ~~((+6+))~~ (5) The department, in consultation with the Washington
8 state patrol, must continue a pilot program for the state patrol to
9 issue infractions based on information from automated traffic safety
10 cameras in roadway construction zones on state highways. For the
11 purpose of this pilot program, during the 2013-2015 fiscal biennium, a
12 roadway construction zone includes areas where public employees or
13 private contractors may be present or where a driving condition exists
14 that would make it unsafe to drive at higher speeds, such as, when the
15 department is redirecting or realigning lanes on any public roadway
16 pursuant to ongoing construction. The department shall use the
17 following guidelines to administer the program:

18 (a) Automated traffic safety cameras may only take pictures of the
19 vehicle and vehicle license plate and only while an infraction is
20 occurring. The picture must not reveal the face of the driver or of
21 passengers in the vehicle;

22 (b) The department shall plainly mark the locations where the
23 automated traffic safety cameras are used by placing signs on locations
24 that clearly indicate to a driver that he or she is entering a roadway
25 construction zone where traffic laws are enforced by an automated
26 traffic safety camera;

27 (c) Notices of infractions must be mailed to the registered owner
28 of a vehicle within fourteen days of the infraction occurring;

29 (d) The owner of the vehicle is not responsible for the violation
30 if the owner of the vehicle, within fourteen days of receiving
31 notification of the violation, mails to the patrol, a declaration under
32 penalty of perjury, stating that the vehicle involved was, at the time,
33 stolen or in the care, custody, or control of some person other than
34 the registered owner, or any other extenuating circumstances;

35 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
36 infractions detected through the use of automated traffic safety
37 cameras are not part of the registered owner's driving record under RCW
38 46.52.101 and 46.52.120. Additionally, infractions generated by the

1 use of automated traffic safety cameras must be processed in the same
2 manner as parking infractions for the purposes of RCW 3.50.100,
3 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
4 fine issued under this subsection (~~((+6))~~) (5) for an infraction
5 generated through the use of an automated traffic safety camera is one
6 hundred thirty-seven dollars. The court shall remit thirty-two dollars
7 of the fine to the state treasurer for deposit into the state patrol
8 highway account; and

9 (f) If a notice of infraction is sent to the registered owner and
10 the registered owner is a rental car business, the infraction must be
11 dismissed against the business if it mails to the patrol, within
12 fourteen days of receiving the notice, a declaration under penalty of
13 perjury of the name and known mailing address of the individual driving
14 or renting the vehicle when the infraction occurred. If the business
15 is unable to determine who was driving or renting the vehicle at the
16 time the infraction occurred, the business must sign a declaration
17 under penalty of perjury to this effect. The declaration must be
18 mailed to the patrol within fourteen days of receiving the notice of
19 traffic infraction. Timely mailing of this declaration to the issuing
20 agency relieves a rental car business of any liability under this
21 section for the notice of infraction. A declaration form suitable for
22 this purpose must be included with each automated traffic safety camera
23 infraction notice issued, along with instructions for its completion
24 and use.

25 (~~((+7))~~) (6) \$102,000 of the motor vehicle account--state
26 appropriation is provided solely to replace or rehabilitate critical
27 equipment needed to perform traffic control. These funds may not be
28 used to purchase passenger cars as defined in RCW 46.04.382.

29 **Sec. 217.** 2013 c 306 s 217 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
32 **SUPPORT--PROGRAM S**

33	Motor Vehicle Account--State Appropriation	(((\$27,281,000)))
34		<u>\$27,079,000</u>
35	Motor Vehicle Account--Federal Appropriation	(((\$30,000)))
36		<u>\$280,000</u>
37	Multimodal Transportation Account--State	

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) \$25,000,000 of the multimodal transportation account--state
4 appropriation is provided solely for a grant program for special needs
5 transportation provided by transit agencies and nonprofit providers of
6 transportation. Of this amount:

7 (a) \$5,500,000 of the multimodal transportation account--state
8 appropriation is provided solely for grants to nonprofit providers of
9 special needs transportation. Grants for nonprofit providers must be
10 based on need, including the availability of other providers of service
11 in the area, efforts to coordinate trips among providers and riders,
12 and the cost effectiveness of trips provided.

13 (b) \$19,500,000 of the multimodal transportation account--state
14 appropriation is provided solely for grants to transit agencies to
15 transport persons with special transportation needs. To receive a
16 grant, the transit agency must, to the greatest extent practicable,
17 have a maintenance of effort for special needs transportation that is
18 no less than the previous year's maintenance of effort for special
19 needs transportation. Grants for transit agencies must be prorated
20 based on the amount expended for demand response service and route
21 deviated service in calendar year 2011 as reported in the "Summary of
22 Public Transportation - 2011" published by the department of
23 transportation. No transit agency may receive more than thirty percent
24 of these distributions.

25 (2) \$17,000,000 of the rural mobility grant program account--state
26 appropriation is provided solely for grants to aid small cities in
27 rural areas as prescribed in RCW 47.66.100.

28 (3)(a) \$6,000,000 of the multimodal transportation account--state
29 appropriation is provided solely for a vanpool grant program for: (a)
30 Public transit agencies to add vanpools or replace vans; and (b)
31 incentives for employers to increase employee vanpool use. The grant
32 program for public transit agencies will cover capital costs only;
33 operating costs for public transit agencies are not eligible for
34 funding under this grant program. Additional employees may not be
35 hired from the funds provided in this section for the vanpool grant
36 program, and supplanting of transit funds currently funding vanpools is
37 not allowed. The department shall encourage grant applicants and
38 recipients to leverage funds other than state funds.

1 (b) At least \$1,600,000 of the amount provided in this subsection
2 must be used for vanpool grants in congested corridors.

3 (c) \$520,000 of the amount provided in this subsection is provided
4 solely for the purchase of additional vans for use by vanpools serving
5 (~~soldiers and civilian employees at~~) or traveling through the Joint
6 Base Lewis-McChord I-5 corridor between mile post 116 and 127.

7 (4) (~~(\$9,948,000)~~) \$11,111,000 of the regional mobility grant
8 program account--state appropriation is reappropriated and provided
9 solely for the regional mobility grant projects identified in LEAP
10 Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS - Public
11 Transportation - Program (V) as developed (~~(April 23, 2013)~~) March 10,
12 2014.

13 (5)(a) \$40,000,000 of the regional mobility grant program account--
14 state appropriation is provided solely for the regional mobility grant
15 projects identified in LEAP Transportation Document (~~(2013-2)~~) 2014-2
16 ALL PROJECTS - Public Transportation - Program (V) as developed (~~(April~~
17 ~~23, 2013)~~) March 10, 2014. The department shall review all projects
18 receiving grant awards under this program at least semiannually to
19 determine whether the projects are making satisfactory progress. Any
20 project that has been awarded funds, but does not report activity on
21 the project within one year of the grant award, must be reviewed by the
22 department to determine whether the grant should be terminated. The
23 department shall promptly close out grants when projects have been
24 completed, and any remaining funds must be used only to fund projects
25 identified in the LEAP transportation document referenced in this
26 subsection. The department shall provide annual status reports on
27 December 15, 2013, and December 15, 2014, to the office of financial
28 management and the transportation committees of the legislature
29 regarding the projects receiving the grants. It is the intent of the
30 legislature to appropriate funds through the regional mobility grant
31 program only for projects that will be completed on schedule. A
32 grantee may not receive more than twenty-five percent of the amount
33 appropriated in this subsection. The department shall not approve any
34 increases or changes to the scope of a project for the purpose of a
35 grantee expending remaining funds on an awarded grant.

36 (b) In order to be eligible to receive a grant under (a) of this
37 subsection during the 2013-2015 fiscal biennium, a transit agency must
38 establish a process for private transportation providers to apply for

1 the use of park and ride facilities. For purposes of this subsection,
2 (i) "private transportation provider" means: An auto transportation
3 company regulated under chapter 81.68 RCW; a passenger charter carrier
4 regulated under chapter 81.70 RCW, except marked or unmarked stretch
5 limousines and stretch sport utility vehicles as defined under
6 department of licensing rules; a private nonprofit transportation
7 provider regulated under chapter 81.66 RCW; or a private employer
8 transportation service provider; and (ii) "private employer
9 transportation service" means regularly scheduled, fixed-route
10 transportation service that is offered by an employer for the benefit
11 of its employees.

12 (6) Funds provided for the commute trip reduction (CTR) program may
13 also be used for the growth and transportation efficiency center
14 program.

15 (7) (~~(\$6,122,000)~~) \$6,424,000 of the total appropriation in this
16 section is provided solely for CTR grants and activities. Of this
17 amount:

18 (a) \$3,900,000 of the multimodal transportation account--state
19 appropriation is provided solely for grants to local jurisdictions,
20 selected by the CTR board, for the purpose of assisting employers meet
21 CTR goals;

22 (b) \$1,770,000 of the multimodal transportation account--state
23 appropriation is provided solely for state costs associated with CTR.
24 The department shall develop more efficient methods of CTR assistance
25 and survey procedures; and

26 (c) (~~(\$452,000)~~) \$754,000 of the state vehicle parking account--
27 state appropriation is provided solely for CTR-related expenditures,
28 including all expenditures related to the guaranteed ride home program
29 and the STAR pass program.

30 (8) An affected urban growth area that has not previously
31 implemented a commute trip reduction program as of the effective date
32 of this section is exempt from the requirements in RCW 70.94.527.

33 (9) \$200,000 of the multimodal transportation account--state
34 appropriation is contingent on the timely development of an annual
35 report summarizing the status of public transportation systems as
36 identified under RCW 35.58.2796.

37 (10) \$160,000 of the motor vehicle account--federal appropriation
38 is provided solely for King county metro to study demand potential for

1 a state route number 18 and Interstate 90 park and ride location, to
2 size the facilities appropriately, to perform site analysis, and to
3 develop preliminary design concepts. When studying potential park and
4 ride locations pursuant to this subsection, King county metro must take
5 into consideration the effect of the traffic using the weigh station at
6 the Interstate 90 and state route number 18 interchange at exit 25 and,
7 to the maximum extent practicable, choose a park and ride location that
8 minimizes traffic impacts for the Interstate 90 and state route number
9 18 interchange and the weigh station.

10 **Sec. 221.** 2013 c 306 s 221 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

13 Puget Sound Ferry Operations Account--State

14 Appropriation	((\$485,076,000))
	<u>\$483,404,000</u>

16 Puget Sound Ferry Operations Account--Private/Local

17 Appropriation	\$121,000
18 TOTAL APPROPRIATION	((\$485,197,000))
	<u>\$483,525,000</u>

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) The office of financial management budget instructions require
23 agencies to recast enacted budgets into activities. The Washington
24 state ferries shall include a greater level of detail in its 2013-2015
25 supplemental and 2015-2017 omnibus transportation appropriations act
26 requests, as determined jointly by the office of financial management,
27 the Washington state ferries, and the transportation committees of the
28 legislature. This level of detail must include the administrative
29 functions in the operating as well as capital programs.

30 (2) Until a reservation system is operational on the San Juan
31 islands inter-island route, the department shall provide the same
32 priority loading benefits on the San Juan islands inter-island route to
33 home health care workers as are currently provided to patients
34 traveling for purposes of receiving medical treatment.

35 (3) For the 2013-2015 fiscal biennium, the department may enter
36 into a distributor controlled fuel hedging program and other methods of
37 hedging approved by the fuel hedging committee.

1 (4) (~~(\$112,342,000)~~) \$113,157,000 of the Puget Sound ferry
2 operations account--state appropriation is provided solely for auto
3 ferry vessel operating fuel in the 2013-2015 fiscal biennium, which
4 reflect cost savings from a reduced biodiesel fuel requirement and,
5 therefore, are contingent upon the enactment of section 701 (~~(of this~~
6 ~~act)~~), chapter 306, Laws of 2013. The amount provided in this
7 subsection represent the fuel budget for the purposes of calculating
8 any ferry fare fuel surcharge. The department shall develop a fuel
9 reduction plan to be submitted as part of its 2014 supplemental budget
10 proposal. The plan must include fuel saving proposals, such as vessel
11 modifications, vessel speed reductions, and changes to operating
12 procedures, along with anticipated fuel saving estimates.

13 (5) \$100,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the department's compliance with
15 its national pollution discharge elimination system permit.

16 (6) When purchasing uniforms that are required by collective
17 bargaining agreements, the department shall contract with the lowest
18 cost provider.

19 (7) \$3,049,000 of the Puget Sound ferry operations account--state
20 appropriation is provided solely for the operating program share of the
21 \$7,259,000 in lease payments for the ferry division's headquarters
22 building. Consistent with the 2012 facilities oversight plan, the
23 department shall strive to consolidate office space in downtown Seattle
24 by the end of 2015. The department shall consider renewing the lease
25 for the ferry division's current headquarters building only if the
26 lease rate is reduced at least fifty percent and analysis shows that
27 this is the least cost and risk option for the department.
28 Consolidation with other divisions or state agencies, or a reduction in
29 leased space, must also be considered as part of any headquarters lease
30 renewal analysis.

31 (8) \$5,000,000 of the Puget Sound ferry operations account--state
32 appropriation is provided solely for the purchase of a 2013-2015 marine
33 insurance policy. Within this amount, the department is expected to
34 purchase a policy with the lowest deductible possible, while
35 maintaining at least existing coverage levels for ferry vessels, and
36 providing coverage for all terminals.

37 (9) Within existing resources, the department must evaluate the
38 feasibility of using re-refined used motor oil processed in Washington

1 state as a ferry fuel source. The evaluation must include, but is not
2 limited to, research on existing entities currently using the process
3 for re-refined fuel, any required combustible engine modifications,
4 additional needed equipment on the vessels or fueling locations, cost
5 analysis, compatibility with B-5 blended diesel, and meeting engine
6 performance specifications. The department must establish an
7 evaluation group that includes, but is not limited to, persons
8 experienced in the re-refined motor oil industry. The department must
9 deliver a report containing the results of the evaluation to the
10 transportation committees of the legislature and the office of
11 financial management by December 1, 2014.

12 (10) \$71,000 of the Puget Sound ferry operations account--state
13 appropriation is provided solely for one traffic attendant for ferry
14 terminal traffic control at the Fauntleroy ferry terminal.

15 **Sec. 222.** 2013 c 306 s 222 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
18 Multimodal Transportation Account--State
19 Appropriation ((\$32,924,000))
20 \$46,026,000

21 The appropriations in this section are subject to the following
22 conditions and limitations:

23 (1) ((\$27,319,000)) \$40,289,000 of the multimodal transportation
24 account--state appropriation is provided solely for (~~the Amtrak~~
25 ~~service contract and Talgo maintenance contract associated with~~
26 ~~providing~~) operating and maintaining state-supported passenger rail
27 service. In recognition of the increased costs the state is expected
28 to absorb due to changes in federal law, the department is directed to
29 analyze the Amtrak contract proposal and find cost saving alternatives.
30 The department shall report to the transportation committees of the
31 legislature before the 2014 regular legislative session on its
32 revisions to the Amtrak contract, including a review of the appropriate
33 costs within the contract for concession services, policing, host
34 railroad incentives, and station services and staffing needs. Within
35 thirty days of each annual cost/revenue reconciliation under the Amtrak
36 service contract, the department shall report any changes that would
37 affect the state subsidy amount appropriated in this subsection.

1 Through a competitive process, the department may contract with a
2 private entity for services related to operations and maintenance of
3 the Amtrak Cascades route, including, but not limited to, concession
4 services.

5 (2) Amtrak Cascades runs may not be eliminated.

6 (3) The department shall continue a pilot program by partnering
7 with the travel industry on the Amtrak Cascades service between
8 Vancouver, British Columbia, and Seattle to test opportunities for
9 increasing ridership, maximizing farebox recovery, and stimulating
10 private investment. The pilot program must run from December 31, 2013,
11 to December 31, 2014, and evaluate seasonal differences in the program
12 and the effect of advertising. The department may offer to Washington
13 universities an opportunity for business students to work as interns on
14 the analysis of the pilot program process and results. The department
15 shall report on the results of the pilot program to the office of
16 financial management and the legislature by January 31, 2015.

17 (4) \$150,000 of the multimodal transportation account--state
18 appropriation is provided solely for the department to develop an
19 inventory of short line rail infrastructure that can be used to support
20 a data-driven approach to identifying system needs. The department
21 shall work with short line rail owners and operators within the state,
22 provide status updates periodically to the joint transportation
23 committee, submit a progress report of its findings to the
24 transportation committees of the legislature and the office of
25 financial management by December 15, 2014, submit a preliminary report
26 of key findings and recommendations to the transportation committees of
27 the legislature and the office of financial management by March 1,
28 2015, and submit a final report to the transportation committees of the
29 legislature and the office of financial management by June 30, 2015.

30 **Sec. 223.** 2013 c 306 s 223 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
33 **OPERATING**

34	Motor Vehicle Account--State Appropriation	((\$8,737,000))
35		\$8,672,000
36	Motor Vehicle Account--Federal Appropriation	\$2,567,000
37	TOTAL APPROPRIATION	((\$11,304,000))

1 \$11,239,000

2 **TRANSPORTATION AGENCIES--CAPITAL**

3 **Sec. 301.** 2013 c 306 s 301 (uncodified) is amended to read as
4 follows:

5 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

6	Freight Mobility Investment Account--State	
7	Appropriation	((\$11,794,000))
8		<u>\$11,930,000</u>
9	Freight Mobility Multimodal Account--State	
10	Appropriation	((\$9,736,000))
11		<u>\$9,826,000</u>
12	Freight Mobility Multimodal Account--Private/Local	
13	Appropriation	\$1,320,000
14	Highway Safety Account--State Appropriation	((\$2,450,000))
15		<u>\$2,606,000</u>
16	Motor Vehicle Account--State Appropriation	\$84,000
17	Motor Vehicle Account--Federal Appropriation	((\$3,250,000))
18		<u>\$5,750,000</u>
19	TOTAL APPROPRIATION	((\$28,634,000))
20		<u>\$31,516,000</u>

21 ~~((The appropriations in this section are subject to the following
22 conditions and limitations: Except as provided otherwise in this
23 section, the total appropriation in this section is provided solely for
24 the implementation of chapter . . . (Substitute House Bill No. 1256),
25 Laws of 2013 (addressing project selection by the freight mobility
26 strategic investment board). If chapter . . . (Substitute House Bill
27 No. 1256), Laws of 2013 is not enacted by June 30, 2013, the amounts
28 provided in this section lapse.))~~

29 **Sec. 302.** 2013 c 306 s 302 (uncodified) is amended to read as
30 follows:

31 **FOR THE WASHINGTON STATE PATROL**

32	State Patrol Highway Account--State Appropriation . . .	((\$1,926,000))
33		<u>\$2,661,000</u>

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

3 (1) \$200,000 of the state patrol highway account--state
4 appropriation is provided solely for unforeseen emergency repairs on
5 facilities.

6 (2) \$426,000 of the state patrol highway account--state
7 appropriation is provided solely for the replacement of the roofs of
8 the Marysville district office and vehicle inspection building and
9 Spokane East office.

10 (3) \$450,000 of the state patrol highway account--state
11 appropriation is provided solely for upgrades to scales at Ridgefield
12 Port of Entry, Dryden, South Pasco, Deer Park, and Kelso required to
13 meet current certification requirements.

14 (4) (~~(\$850,000)~~) \$1,200,000 of the state patrol highway account--
15 state appropriation is provided solely for the replacement of the
16 damaged and unrepairable scale house at the Everett southbound I-5
17 weigh scales, including equipment, weigh-in-motion technology, and an
18 ALPR camera.

19 (5) The Washington state patrol, in cooperation with the Washington
20 state department of transportation, must study the federal funding
21 options available for weigh station construction and improvements on
22 the national highway system. A study report must be provided by July
23 1, 2014, to the office of financial management and the transportation
24 committees of the legislature with recommendations on utilizing federal
25 funds for weigh station projects.

26 **Sec. 303.** 2013 c 306 s 303 (uncodified) is amended to read as
27 follows:

28 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

29 Rural Arterial Trust Account--State	
30 Appropriation	((\$35,894,000))
31	<u>\$57,394,000</u>
32 Highway Safety Account--State Appropriation	\$10,000,000
33 Motor Vehicle Account--State Appropriation	\$706,000
34 County Arterial Preservation Account--State	
35 Appropriation	((\$30,000,000))
36	<u>\$32,000,000</u>
37 TOTAL APPROPRIATION	((\$76,600,000))

1 \$100,100,000

2 **Sec. 304.** 2013 c 306 s 304 (uncodified) is amended to read as
3 follows:

4 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

5	Small City Pavement and Sidewalk Account--State	
6	Appropriation	((\$3,500,000))
7		<u>\$5,250,000</u>
8	Highway Safety Account--State Appropriation	\$10,000,000
9	Transportation Improvement Account--State	
10	Appropriation	((\$174,225,000))
11		<u>\$231,851,000</u>
12	TOTAL APPROPRIATION	((\$187,725,000))
13		<u>\$247,101,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations: The highway safety account--state
16 appropriation is provided solely for:

- 17 (1) The arterial preservation program to help low tax-based,
- 18 medium-sized cities preserve arterial pavements;
- 19 (2) The small city pavement program to help cities meet urgent
- 20 preservation needs; and
- 21 (3) The small city low-energy street light retrofit demonstration
- 22 program.

23 **Sec. 305.** 2013 c 306 s 305 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**
26 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

27	Transportation Partnership Account--State	
28	Appropriation	((\$13,425,000))
29		<u>\$14,390,000</u>
30	Motor Vehicle Account--State Appropriation	((\$8,106,000))
31		<u>\$9,469,000</u>
32	TOTAL APPROPRIATION	((\$21,531,000))
33		<u>\$23,859,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations:

1 (1) The legislature recognizes that the Marginal Way site (King
2 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
3 real property under the jurisdiction of the department and that the
4 public would benefit significantly if this site is used to provide
5 important social services. Therefore, the legislature declares that
6 committing the Marginal Way site to this use is consistent with the
7 public interest.

8 Pursuant to RCW 47.12.063, the department shall work with the owner
9 of King county parcel number 7643400010, which abuts both parcels of
10 the Marginal Way site, and shall convey the Marginal Way site to that
11 abutting property owner for the appraised fair market value of the
12 parcels, the proceeds of which must be deposited in the motor vehicle
13 fund. The conveyance is conditional upon the purchaser's agreement to
14 commit the use of the Marginal Way site to operations with the goal of
15 ending hunger in western Washington. The department may not make this
16 conveyance before September 1, 2013, and may not make this conveyance
17 after (~~January 15~~) September 1, 2014.

18 The Washington department of transportation is not responsible for
19 any costs associated with the cleanup or transfer of the Marginal Way
20 site.

21 (2) (~~(\$13,425,000)~~) \$14,390,000 of the transportation partnership
22 account--state appropriation is provided solely for the construction of
23 a new traffic management and emergency operations center on property
24 owned by the department on Dayton Avenue in Shoreline (project
25 100010T). Consistent with the office of financial management's 2012
26 study, it is the intent of the legislature to appropriate no more than
27 \$15,000,000 for the total construction costs. The department shall
28 report to the transportation committees of the legislature and the
29 office of financial management by June 30, 2014, on the progress of the
30 construction of the traffic management and emergency operations center,
31 including a schedule for terminating the current lease of the Goldsmith
32 building in Seattle.

33 **Sec. 306.** 2013 c 306 s 306 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**
36 Multimodal Transportation Account--State
37 Appropriation \$1,000,000

1	Transportation Partnership Account--State	
2	Appropriation	((\$1,536,032,000))
3		<u>\$1,313,555,000</u>
4	Motor Vehicle Account--State Appropriation	((\$61,508,000))
5		<u>\$69,478,000</u>
6	Motor Vehicle Account--Federal Appropriation	((\$473,359,000))
7		<u>\$516,181,000</u>
8	Motor Vehicle Account--Private/Local Appropriation	((\$208,452,000))
9		<u>\$166,357,000</u>
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	((\$242,253,000))
12		<u>\$325,778,000</u>
13	State Route Number 520 Corridor Account--State	
14	Appropriation	((\$737,205,000))
15		<u>\$880,111,000</u>
16	State Route Number 520 Corridor Account--Federal	
17	Appropriation	\$300,000,000
18	Special Category C Account--State Appropriation	\$124,000
19	TOTAL APPROPRIATION	((\$3,559,933,000))
20		<u>\$3,572,584,000</u>

21 The appropriations in this section are subject to the following
22 conditions and limitations:

23 (1) Except as provided otherwise in this section, the entire
24 transportation 2003 account (nickel account) appropriation and the
25 entire transportation partnership account appropriation are provided
26 solely for the projects and activities as listed by fund, project, and
27 amount in LEAP Transportation Document ((~~2013-1~~)) 2014-1 as developed
28 ((~~April 23, 2013~~)) March 10, 2014, Program - Highway Improvement
29 Program (I). However, limited transfers of specific line-item project
30 appropriations may occur between projects for those amounts listed
31 subject to the conditions and limitations in section ((~~603~~)) 601 of
32 this act.

33 (2) Except as provided otherwise in this section, the entire motor
34 vehicle account--state appropriation and motor vehicle account--federal
35 appropriation are provided solely for the projects and activities
36 listed in LEAP Transportation Document ((~~2013-2~~)) 2014-2 ALL PROJECTS
37 as developed ((~~April 23, 2013~~)) March 10, 2014, Program - Highway
38 Improvement Program (I). ((~~It is the intent of the legislature to~~

1 ~~direct~~) The department (~~to give first priority of~~) shall apply any
2 federal funds gained through efficiencies or the redistribution process
3 in an amount up to \$27,200,000 for cost overruns related to the pontoon
4 design errors on the SR 520 Bridge Replacement and HOV project
5 (8BI1003) as described in subsection (12)(f) of this section. Any
6 federal funds gained through efficiencies or the redistribution process
7 that are in excess of \$27,200,000 must then be applied to the
8 "Contingency (Unfunded) Highway Preservation Projects" as identified in
9 LEAP Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS as
10 developed (~~(April 23, 2013)~~) March 10, 2014, Program - Highway
11 Preservation Program (P). However, no additional federal funds may be
12 allocated to the I- 5/Columbia River Crossing project (400506A).

13 (3) Within the motor vehicle account--state appropriation and
14 motor vehicle account--federal appropriation, the department may
15 transfer funds between programs I and P, except for funds that are
16 otherwise restricted in this act.

17 (4) The transportation 2003 account (nickel account)--state
18 appropriation includes up to (~~(\$217,604,000)~~) \$246,710,000 in proceeds
19 from the sale of bonds authorized by RCW 47.10.861.

20 (5) The transportation partnership account--state appropriation
21 includes up to (~~(\$1,156,217,000)~~) \$811,595,000 in proceeds from the
22 sale of bonds authorized in RCW 47.10.873.

23 (6) The motor vehicle account--state appropriation includes up to
24 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
25 47.10.843.

26 (~~(+8)~~) (7)(a) (~~(\$5,000,000)~~) \$6,174,000 of the motor vehicle
27 account--federal appropriation and (~~(\$200,000)~~) \$269,000 of the motor
28 vehicle account--state appropriation are provided solely for the I-90
29 Comprehensive Tolling Study and Environmental Review project (100067T).
30 The department shall prepare a detailed environmental impact statement
31 that complies with the national environmental policy act regarding
32 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
33 purposes of both managing traffic and providing funding for the
34 construction of the unfunded state route number 520 from Interstate 5
35 to Medina project. As part of the preparation of the statement, the
36 department must review any impacts to the network of highways and roads
37 surrounding Lake Washington. In developing this statement, the

1 department must provide significant outreach to potential affected
2 communities. The department may consider traffic management options
3 that extend as far east as Issaquah.

4 (b)(i) As part of the project in this subsection (~~((+8))~~) (7), the
5 department shall perform a study of all funding alternatives to tolling
6 Interstate 90 to provide funding for construction of the unfunded state
7 route number 520 and explore and evaluate options to mitigate the
8 effect of tolling on affected residents and all other users of the
9 network of highways and roads surrounding Lake Washington including,
10 but not limited to:

11 (A) Allowing all Washington residents to traverse a portion of the
12 tolled section of Interstate 90 without paying a toll. Residents may
13 choose either (I) the portion of Interstate 90 between the easternmost
14 landing west of Mercer Island and the westernmost landing on Mercer
15 Island, or (II) the portion of Interstate 90 between the westernmost
16 landing east of Mercer Island and the easternmost landing on Mercer
17 Island;

18 (B) Assessing a toll only when a driver traverses, in either
19 direction, the entire portion of Interstate 90 between the easternmost
20 landing west of Mercer Island and the westernmost landing east of
21 Mercer Island; and

22 (C) Allowing affected residents to choose one portion of the tolled
23 section of Interstate 90 upon which they may travel without paying a
24 toll. Residents may choose either (I) the portion of Interstate 90
25 between the easternmost landing west of Mercer Island and the
26 westernmost landing on Mercer Island, or (II) the portion of Interstate
27 90 between the westernmost landing east of Mercer Island and the
28 easternmost landing on Mercer Island.

29 (ii) The department may also consider any alternative mitigation
30 options that conform to the purpose of this subsection (~~((+8))~~) (7).

31 (iii) For the purposes of this subsection (~~((+8))~~) (7), "affected
32 resident" means anyone who must use a portion of Interstate 90 west of
33 Interstate 405 upon which tolling is considered in order to access
34 necessary medical services, such as a hospital.

35 (~~((+9)---\$541,901,000)~~) (8) \$490,796,000 of the transportation
36 partnership account--state appropriation, (~~((+9)---\$144,954,000)~~) \$156,979,000
37 of the motor vehicle account--federal appropriation, (~~((+9)---\$129,779,000)~~)
38 \$132,191,000 of the motor vehicle account--private/local appropriation,

1 and (~~(\$78,004,000)~~) \$123,305,000 of the transportation 2003 account
2 (nickel account)--state appropriation are provided solely for the SR
3 99/Alaskan Way Viaduct - Replacement project (809936Z). Amounts
4 appropriated in this subsection may not be spent for the purpose of
5 public transportation mitigation, except pursuant to an agreement or
6 agreements between the department and King county as that agreement or
7 agreements existed on January 1, 2013.

8 ((~~+10~~)) (9) The department shall reconvene an expert review panel
9 of no more than three members as described under RCW 47.01.400 for the
10 purpose of updating the work that was previously completed by the panel
11 on the Alaskan Way viaduct replacement project and to ensure that an
12 appropriate and viable financial plan is created and regularly
13 reviewed. The expert review panel must be selected cooperatively by
14 the chairs of the senate and house of representatives transportation
15 committees, the secretary of transportation, and the governor. The
16 expert review panel must report findings and recommendations to the
17 transportation committees of the legislature, the governor's Alaskan
18 Way viaduct project oversight committee, and the transportation
19 commission annually until the project is operationally complete. This
20 subsection takes effect if chapter ... (Substitute House Bill No.
21 1957), Laws of 2013 is not enacted by June 30, 2013.

22 (~~(\$7,408,000)~~) (10) \$7,103,000 of the transportation
23 partnership account--state appropriation, (~~(\$14,594,000)~~) \$22,774,000
24 of the transportation 2003 account (nickel account)--state
25 appropriation, (~~(\$3,730,000 of the motor vehicle account state~~
26 ~~appropriation,~~) \$1,000,000 of the multimodal transportation account--
27 state appropriation, and (~~(\$41,395,000)~~) \$51,712,000 of the motor
28 vehicle account--federal appropriation are provided solely for the US
29 395/North Spokane Corridor projects (600010A & 600003A). Any future
30 savings on the projects must stay on the US 395/Interstate 90 corridor
31 and be made available to the current phase of the North Spokane
32 corridor projects or any future phase of the projects.

33 (~~(\$114,369,000)~~) (11) \$129,952,000 of the transportation
34 partnership account--state appropriation and (~~(\$53,755,000)~~)
35 \$58,583,000 of the transportation 2003 account (nickel account)--state
36 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
37 2 - Widening project (8BI1002). This project must be completed as soon
38 as practicable as a design-build project. Any future savings on this

1 project or other Interstate 405 corridor projects must stay on the
2 Interstate 405 corridor and be made available to either the I-405/SR
3 167 Interchange - Direct Connector project (140504C) or the I-405
4 Renton to Bellevue project.

5 ~~((+13))~~ (12)(a) The SR 520 Bridge Replacement and HOV project
6 ~~((+0BI1003))~~ (8BI1003) is supported over time from multiple sources,
7 including a \$300,000,000 TIFIA loan, ~~((819,524,625))~~ \$923,000,000 in
8 Garvee bonds, toll revenues, state bonds, interest earnings, and other
9 miscellaneous sources.

10 (b) The state route number 520 corridor account--state
11 appropriation includes up to ~~((668,142,000))~~ \$814,784,000 in proceeds
12 from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

13 (c) The state route number 520 corridor account--federal
14 appropriation includes up to \$300,000,000 in proceeds from the sale of
15 bonds authorized in RCW 47.10.879 and 47.10.886.

16 (d) ~~((153,124,000))~~ \$165,175,000 of the transportation partnership
17 account--state appropriation, \$300,000,000 of the state route number
18 520 corridor account--federal appropriation, and ~~((737,205,000))~~
19 \$880,111,000 of the state route number 520 corridor account--state
20 appropriation are provided solely for the SR 520 Bridge Replacement and
21 HOV project ~~((+0BI1003))~~ (8BI1003). Of the amounts appropriated in
22 this subsection ~~((+13))~~ (12)(d), ~~((105,085,000))~~ \$84,001,000 of the
23 state route number 520 corridor account--federal appropriation and
24 ~~((227,415,000))~~ \$354,411,000 of the state route number 520 corridor
25 account--state appropriation must be put into unallotted status and are
26 subject to review by the office of financial management. The director
27 of the office of financial management shall consult with the joint
28 transportation committee prior to making a decision to allot these
29 funds.

30 (e) When developing the financial plan for the project, the
31 department shall assume that all maintenance and operation costs for
32 the new facility are to be covered by tolls collected on the toll
33 facility and not by the motor vehicle account.

34 (f) The legislature finds that the most appropriate way to pay for
35 the cost overruns related to change orders, additional sales tax, and
36 future risks associated with pontoon design errors is for the state to
37 issue triple pledge bonds in the 2015-2017 fiscal biennium resulting in
38 \$110,961,000 in proceeds, and use efficiencies, including the use of

1 least cost planning or practical design, and favorable bids in the
2 highway construction program to generate an additional \$61,066,000
3 towards paying for the estimated project overruns. Of this additional
4 \$61,066,000, \$33,866,000 should come from the transportation
5 partnership account--state appropriation and \$27,200,000 should come
6 from federal funds. As the department identifies savings in federal
7 funds during the 2013-2015 fiscal biennium, the department shall
8 prioritize the use of these funds towards the anticipated \$27,200,000
9 in federal funds needed to address cost overruns before expending state
10 funds during this fiscal biennium. The legislature assumes that
11 issuing bonds to complete this project as listed in LEAP Transportation
12 Document 2014-1 as developed March 10, 2014, does not require a
13 comprehensive financial plan for a project that completes the state
14 route number 520 corridor to Interstate 5.

15 (g) The department's 2014 supplemental budget allotment submittal
16 must include a project-specific plan detailing how the department will
17 achieve the mandatory budget savings in (f) of this subsection,
18 including the use of least cost planning or practical design as a means
19 to generate savings, as referenced in subsection (23) of this section.
20 The use of least cost planning or practical design may result in a
21 reduction of project cost, but not a reduction of functional scope.
22 The director of financial management shall notify the transportation
23 committees of the legislature in writing seven days prior to approving
24 any allotment modifications under this subsection.

25 (13) Within the amounts provided in this section, the department
26 must continue to work with the Seattle department of transportation in
27 their joint planning, design, outreach, and operation of the remaining
28 west side elements including, but not limited to, the Montlake lid, the
29 bicycle/pedestrian path, the effective network of transit connections,
30 and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV
31 project.

32 (14) (~~(\$1,100,000)~~) \$1,062,000 of the motor vehicle account--
33 federal appropriation is provided solely for the 31st Ave SW Overpass
34 Widening and Improvement project (L1100048).

35 (15) (~~(\$22,602,000)~~) \$25,243,000 of the motor vehicle account--
36 state appropriation is provided solely to advance the design,
37 preliminary engineering, and rights-of-way acquisition for the priority
38 projects identified in LEAP Transportation Document (~~(2013-3)~~) 2014-3

1 as developed (~~April 23, 2013~~) March 10, 2014. Funds must be used to
2 advance the emergent, initial development of these projects for the
3 purpose of expediting delivery of the associated major investments when
4 funding for such investments becomes available. Funding may be
5 reallocated between projects to maximize the accomplishment of design
6 and preliminary engineering work and rights-of-way acquisition,
7 provided that all projects are addressed. It is the intent of the
8 legislature that, while seeking to maximize the outcomes in this
9 section, the department shall provide for continuity of both the state
10 and consulting engineer workforce, while strategically utilizing
11 private sector involvement to ensure consistency with the department's
12 business plan for staffing in the highway construction program in the
13 current fiscal biennium.

14 (16) If a planned roundabout in the vicinity of state route number
15 526 and 84th Street SW would divert commercial traffic onto
16 neighborhood streets, the department may not proceed with improvements
17 at state route number 526 and 84th Street SW until the traffic impacts
18 in the vicinity of state route number 526 and 40th Avenue West are
19 addressed.

20 (17) The legislature finds that there are sixteen companies
21 involved in wood preserving in the state that employ four hundred
22 workers and have an annual payroll of fifteen million dollars. Prior
23 to the department's switch to steel guardrails, ninety percent of the
24 twenty-five hundred mile guardrail system was constructed of preserved
25 wood and one hundred ten thousand wood guardrail posts were produced
26 annually for state use. Moreover, the policy of using steel posts
27 requires the state to use imported steel. Given these findings, where
28 practicable, and until June 30, 2015, the department shall include the
29 design option to use wood guardrail posts, in addition to steel posts,
30 in new guardrail installations. The selection of posts must be
31 consistent with the agency design manual policy that existed before
32 December 2009.

33 (18) The legislature finds that "right-sizing" is a lean,
34 metric-based approach to determining project investments. This concept
35 entails compromise between project cost and design, incorporating local
36 community needs, desired outcomes, and available funding. Furthermore,
37 the legislature finds that the concepts and principles the department
38 has utilized in the safety analyst program have been effective tools to

1 prioritize projects and reduce project costs. Therefore, the
2 department shall establish a pilot project on the SR 3/Belfair Bypass
3 - New Alignment (300344C) to begin implementing the concept of
4 "right-sizing" in the highway construction program.

5 (19) For urban corridors that are all or partially within a
6 metropolitan planning organization boundary, for which the department
7 has not initiated environmental review, and that require an
8 environmental impact statement, at least one alternative must be
9 consistent with the goals set out in RCW 47.01.440.

10 (20) The department shall itemize all future requests for the
11 construction of buildings on a project list and submit them through the
12 transportation executive information system as part of the department's
13 2014 budget submittal. It is the intent of the legislature that new
14 facility construction must be transparent and not appropriated within
15 larger highway construction projects.

16 (21) (~~(\$28,963,000)~~) \$19,513,000 of the motor vehicle account--
17 state appropriation (~~(is)~~) and \$9,450,000 of the motor vehicle
18 account--federal appropriation are provided solely for improvement
19 program support activities (095901X). \$18,000,000 of this amount must
20 be held in unallotted status until the office of financial management
21 certifies that the department's 2014 supplemental budget request
22 conforms to the terms of subsection (20) of this section.

23 (~~(+23)~~) (22) Any new advisory group that the department convenes
24 during the 2013-2015 fiscal biennium must be representative of the
25 interests of the entire state of Washington.

26 (23) Practical design offers targeted benefits to a state
27 transportation system within available fiscal resources. This delivers
28 value not just for individual projects, but for the entire system.
29 Applying practical design standards will also preserve and enhance
30 safety and mobility. The department shall implement a practical design
31 strategy for transportation design standards. By June 30, 2015, the
32 department shall report to the governor and the house of
33 representatives and senate transportation committees on where practical
34 design has been applied or is intended to be applied in the department
35 and the cost savings resulting from the use of practical design.

36 (24) The department of transportation shall accept transfer to the
37 state highway system of Quarry Road (also known as the Granite Falls
38 Alternate Route) as a partially controlled limited access facility,

1 consistent with the right-of-way and limited access plan adopted by
2 Snohomish county and the city of Granite Falls in 2008. The department
3 of transportation shall defend any and all claims related to access and
4 challenges to the limited access designation. This subsection takes
5 effect ninety days after the date the governor signs this act if an
6 agreement between the department of transportation and Snohomish county
7 has not been signed by the effective date of this act.

8 **Sec. 307.** 2013 c 306 s 307 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

11 Transportation Partnership Account--State	
12 Appropriation	((\$36,480,000))
13	<u>\$34,966,000</u>
14 Highway Safety Account--State Appropriation	((\$10,000,000))
15	<u>\$13,500,000</u>
16 Motor Vehicle Account--State Appropriation	((\$58,503,000))
17	<u>\$59,796,000</u>
18 Motor Vehicle Account--Federal Appropriation	((\$580,062,000))
19	<u>\$595,604,000</u>
20 Motor Vehicle Account--Private/Local Appropriation	((\$11,270,000))
21	<u>\$11,827,000</u>
22 Transportation 2003 Account (Nickel Account)--State	
23 Appropriation	((\$2,285,000))
24	<u>\$2,650,000</u>
25 <u>Tacoma Narrows Toll Bridge Account--State Appropriation</u>	<u>\$120,000</u>
26 TOTAL APPROPRIATION	((\$698,600,000))
27	<u>\$718,463,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1) Except as provided otherwise in this section, the entire
31 transportation 2003 account (nickel account) appropriation and the
32 entire transportation partnership account appropriation are provided
33 solely for the projects and activities as listed by fund, project, and
34 amount in LEAP Transportation Document ((2013-1)) 2014-1 as developed
35 ((April 23, 2013)) March 10, 2014, Program - Highway Preservation
36 Program (P). However, limited transfers of specific line-item project

1 appropriations may occur between projects for those amounts listed
2 subject to the conditions and limitations in section (~~603~~) 601 of
3 this act.

4 (2) Except as provided otherwise in this section, the entire motor
5 vehicle account--state appropriation and motor vehicle account--federal
6 appropriation are provided solely for the projects and activities
7 listed in LEAP Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS
8 as developed (~~(April 23, 2013)~~) March 10, 2014, Program - Highway
9 Preservation Program (P). (~~It is the intent of the legislature to~~
10 ~~direct~~) The department (~~(to give first priority of)~~) shall apply any
11 federal funds gained through efficiencies or the redistribution process
12 in an amount up to \$27,200,000 for cost overruns related to the pontoon
13 design errors on the SR 520 Bridge Replacement and HOV project
14 (8BI1003) as described in section 306(12)(f) of this act. Any federal
15 funds gained through efficiencies or the redistribution process that
16 are in excess of \$27,200,000 must then be applied to the "Contingency
17 (Unfunded) Highway Preservation Projects" as identified in LEAP
18 Transportation Document (~~(2013-2)~~) 2014-2 ALL PROJECTS as developed
19 (~~(April 23, 2013)~~) March 10, 2014, Program - Highway Preservation
20 Program (P). However, no additional federal funds may be allocated to
21 the I-5/Columbia River Crossing project (400506A).

22 (3) Within the motor vehicle account--state appropriation and motor
23 vehicle account--federal appropriation, the department may transfer
24 funds between programs I and P, except for funds that are otherwise
25 restricted in this act.

26 (4) (~~(\$27,278,000)~~) \$26,610,000 of the motor vehicle account--
27 federal appropriation, \$51,000 (~~(and \$1,141,000)~~) of the motor vehicle
28 account--state appropriation, and \$769,000 of the highway safety
29 account--state appropriation are provided solely for the SR
30 167/Puyallup River Bridge Replacement project (316725A). This project
31 must be completed as a design-build project. The department must work
32 with local jurisdictions and the community during the environmental
33 review process to develop appropriate esthetic design elements, at no
34 additional cost to the department, and traffic management plans
35 pertaining to this project. The department must report to the
36 transportation committees of the legislature on estimated cost and/or
37 time savings realized as a result of using the design-build process.

1 (5) The department shall examine the use of electric arc furnace
2 slag for use as an aggregate for new roads and paving projects in high
3 traffic areas and report back to the legislature on its current use in
4 other areas of the country and any characteristics that can provide
5 greater wear resistance and skid resistance in new pavement
6 construction.

7 **Sec. 308.** 2013 c 306 s 308 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
10 **CAPITAL**

11	Motor Vehicle Account--State Appropriation	((\$3,194,000))
12		<u>\$4,915,000</u>
13	Motor Vehicle Account--Federal Appropriation	((\$7,959,000))
14		<u>\$9,152,000</u>
15	<u>Motor Vehicle Account--Private/Local Appropriation</u>	<u>\$200,000</u>
16	TOTAL APPROPRIATION	((\$11,153,000))
17		<u>\$14,267,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations: ((~~\$694,000~~)) \$195,000 of the motor vehicle
20 account--state appropriation is provided solely for project 000005Q as
21 state matching funds for federally selected competitive grants or
22 congressional earmark projects. These moneys must be placed into
23 reserve status until such time as federal funds are secured that
24 require a state match.

25 **Sec. 309.** 2013 c 306 s 309 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
28 **CONSTRUCTION--PROGRAM W**

29	Puget Sound Capital Construction Account--State	
30	Appropriation	((\$53,036,000))
31		<u>\$63,825,000</u>
32	Puget Sound Capital Construction Account--Federal	
33	Appropriation	((\$91,692,000))
34		<u>\$118,444,000</u>
35	Puget Sound Capital Construction Account--Private/Local	
36	Appropriation	((\$1,145,000))

1 property associated with this project to provide safe, temporary public
2 access from the easterly terminus of First Street to the vicinity of
3 Front Street. The department shall provide the lease at no cost in
4 recognition of the impacts of this project to the city and require
5 appropriate liability and maintenance coverage in the terms of the
6 lease. Public access must be installed and removed at no cost to the
7 state prior to construction of the multimodal terminal project.

8 (5) (~~(\$4,000,000)~~) \$4,935,000 of the Puget Sound capital
9 construction account--state appropriation is provided solely for
10 emergency capital repair costs (project 999910K). Funds may only be
11 spent after approval by the office of financial management.

12 (6) Consistent with RCW 47.60.662, which requires the Washington
13 state ferry system to collaborate with passenger-only ferry and transit
14 providers to provide service at existing terminals, the department
15 shall ensure that multimodal access, including for passenger-only
16 ferries and transit service providers, is not precluded by any future
17 modifications at the terminal.

18 (7) (~~(\$3,800,000)~~) \$4,026,000 of the Puget Sound capital
19 construction account--state appropriation is provided solely for the
20 reservation and communications system projects (L200041 & L200042).

21 (8) \$4,210,000 of the Puget Sound capital construction account--
22 state appropriation is provided solely for the capital program share of
23 \$7,259,000 in lease payments for the ferry division's headquarters
24 building. Consistent with the 2012 facilities oversight plan, the
25 department shall strive to consolidate office space in downtown Seattle
26 by the end of 2015. The department shall consider renewing the lease
27 for the ferry division's current headquarters building only if the
28 lease rate is reduced at least fifty percent and analysis shows that
29 this is the least cost and risk option for the department.
30 Consolidation with other divisions or state agencies, or a reduction in
31 leased space, must also be considered as part of any headquarters lease
32 renewal analysis.

33 (9) (~~(\$21,950,000)~~) \$23,737,000 of the total appropriation is for
34 preservation work on the Hyak super class vessel (project 944431D),
35 including installation of a power management system and more efficient
36 propulsion systems, that in combination are anticipated to save up to
37 twenty percent in fuel and reduce maintenance costs. Upon completion
38 of this project, the department shall provide a report to the

1 transportation committees of the legislature on the fuel and
2 maintenance savings achieved for this vessel and the potential to save
3 additional funds through other vessel conversions.

4 (10) The transportation 2003 account (nickel account)--state
5 appropriation includes up to \$50,000,000 in proceeds from the sale of
6 bonds authorized in RCW 47.10.861.

7 (11) \$50,000,000 of the transportation 2003 account (nickel
8 account)--state appropriation is provided solely for the acquisition of
9 one 144-car vessel (project L1000063). If chapter . . . (Engrossed
10 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
11 replacement) is not enacted by June 30, 2014, the amount provided in
12 the subsection lapses.

13 (12) If the department pursues a conversion of the existing diesel
14 powered Issaquah class fleet to a different fuel source or engine
15 technology, the department must use a design-build procurement process.

16 (13) \$350,000 of the Puget Sound capital construction account--
17 state appropriation is provided solely for the issuance of a request
18 for proposals to convert the Issaquah class vessels to use liquefied
19 natural gas and to provide a one-time stipend to the entity awarded the
20 conversion contract. Of the amounts provided in this subsection:

21 (a) \$100,000 of the Puget Sound capital construction account--state
22 appropriation is for the department to issue a request for proposals
23 for a design-build contract consistent with RCW 47.20.780 to convert
24 six Issaquah class vessels to be powered by liquefied natural gas.
25 Consistent with RCW 47.56.030(2)(c), the legislature finds that the
26 performance needs of the department in converting to liquefied natural
27 gas are for engines with the lowest life-cycle costs, and the
28 department must weigh this criteria as a priority when evaluating the
29 proposals. To encourage cost saving ideas, the department shall limit
30 prescribing design elements in the proposal to those approved or
31 required by the United States coast guard in the liquefied natural gas
32 waterways suitability assessment or those otherwise essential to
33 provide clear direction to bidders. The request for proposals must
34 include a process for evaluating proposals that may include alternative
35 financing arrangements that are in compliance with state private
36 financing law. When evaluating the financial merits of any liquefied
37 natural gas conversion request for proposals, the department shall give
38 consideration to the inability of the state to fund a liquefied natural

1 gas conversion using currently available public resources. The
2 department shall issue the request for proposals within forty-five days
3 of rejecting the liquefied natural gas request for proposals issued
4 under section 308(11), chapter 86, Laws of 2012 or receiving final
5 findings from the United States coast guard on the liquefied natural
6 gas waterways suitability assessment, whichever is later.

7 (b) \$250,000 of the Puget Sound capital construction account--state
8 appropriation is for the entity awarded the contract pursuant to this
9 subsection.

10 **Sec. 310.** 2013 c 306 s 310 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

13	Essential Rail Assistance Account--State	
14	Appropriation	((\$861,000))
15		<u>\$1,020,000</u>
16	Transportation Infrastructure Account--State	
17	Appropriation	((\$8,582,000))
18		<u>\$9,190,000</u>
19	Multimodal Transportation Account--State	
20	Appropriation	((\$33,156,000))
21		<u>\$44,085,000</u>
22	Multimodal Transportation Account--Federal	
23	Appropriation	((\$333,881,000))
24		<u>\$430,193,000</u>
25	<u>Multimodal Transportation Account--Private/Local</u>	
26	<u>Appropriation</u>	<u>\$409,000</u>
27	TOTAL APPROPRIATION	((\$376,480,000))
28		<u>\$484,897,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1)(a) Except as provided otherwise in this section, the entire
32 appropriations in this section are provided solely for the projects and
33 activities as listed by project and amount in LEAP Transportation
34 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
35 March 10, 2014, Program - Rail ((~~Capital~~)) Program (Y).

36 (b) Within the amounts provided in this section, ((~~\$7,332,000~~))
37 \$7,669,000 of the transportation infrastructure account--state

1 appropriation is for low-interest loans through the freight rail
2 investment bank program identified in the LEAP transportation document
3 referenced in (a) of this subsection. The department shall issue
4 freight rail investment bank program loans with a repayment period of
5 no more than ten years, and only so much interest as is necessary to
6 recoup the department's costs to administer the loans.

7 (c) Within the amounts provided in this section, (~~(\$2,439,000)~~)
8 \$2,440,000 of the multimodal transportation account--state
9 appropriation, \$1,250,000 of the transportation infrastructure
10 account--state appropriation, and \$311,000 of the essential rail
11 assistance account--state appropriation are for statewide emergent
12 freight rail assistance projects identified in the LEAP transportation
13 document referenced in (a) of this subsection.

14 (2) Unsuccessful 2012 freight rail assistance program grant
15 applicants may be awarded freight rail investment bank program loans,
16 if eligible. (~~(If any funds remain in the freight rail investment bank
17 or freight rail assistance program reserves (projects F01001A and
18 F01000A), or any approved grants or loans are terminated,)~~) The
19 department shall issue a call for projects for the freight rail
20 investment bank loan program and the freight rail assistance grant
21 program, and shall evaluate the applications in a manner consistent
22 with past practices as specified in section 309, chapter 367, Laws of
23 2011. By November 1, (~~(2013)~~) 2014, the department shall submit a
24 prioritized list of recommended projects to the office of financial
25 management and the transportation committees of the legislature.

26 (3) (~~(\$314,647,000)~~) \$424,400,000 of the multimodal transportation
27 account--federal appropriation and (~~(\$4,867,000)~~) \$10,658,000 of the
28 multimodal transportation account--state appropriation are provided
29 solely for expenditures related to passenger high-speed rail grants.
30 Except for the Mount Vernon project (P01101A), the multimodal
31 transportation account--state appropriation funds reflect one and one-
32 half percent of the total project funds, and are provided solely for
33 expenditures that are not eligible for federal reimbursement. Of the
34 amounts provided in this subsection, \$31,500,000 of the multimodal
35 transportation account--federal appropriation is provided solely for
36 the purchase of two new train sets for the state-supported intercity
37 passenger rail service. The department must apply for any federal

1 waivers required to purchase the new train sets, as allowable under
2 existing competitive bidding practices, and seek federal funds in
3 addition to those available from the high-speed rail grants.

4 (4) As allowable under federal rail authority rules and existing
5 competitive bidding practices, when purchasing new train sets, the
6 department shall give preference to bidders that propose train sets
7 with characteristics and maintenance requirements most similar to those
8 currently owned by the department.

9 (5) The department shall provide quarterly reports to the office of
10 financial management and the transportation committees of the
11 legislature regarding applications that the department submits for
12 federal funds and the status of such applications.

13 (6)(a) (~~(\$550,000)~~) \$709,000 of the essential rail assistance
14 account--state appropriation, \$241,000 of the transportation
15 infrastructure account--state appropriation, and \$1,893,000 of the
16 multimodal transportation account--state appropriation are provided
17 solely for the purpose of rehabilitation and maintenance of the Palouse
18 river and Coulee City railroad line (project F01111B). The department
19 shall complete an evaluation and assessment of future maintenance needs
20 on the line to ensure appropriate levels of state investment.

21 (b) Expenditures from the essential rail assistance account--state
22 appropriation in this section may not exceed the combined total of:

23 (i) Revenues deposited into the essential rail assistance account
24 from leases and sale of property pursuant to RCW 47.76.290; and

25 (ii) Revenues transferred from the miscellaneous program account to
26 the essential rail assistance account, pursuant to RCW 47.76.360, for
27 the purpose of sustaining the grain train program by maintaining the
28 Palouse river and Coulee City railroad line.

29 (~~(\$31,500,000 of the multimodal transportation account--federal~~
30 ~~appropriation is provided solely for the purchase of two new train sets~~
31 ~~for the state supported intercity passenger rail service. The~~
32 ~~department must apply for any federal waivers required to purchase the~~
33 ~~new train sets, as allowable under existing competitive bidding~~
34 ~~practices, and seek federal funds in addition to those available from~~
35 ~~the high-speed rail grants)) (a) When the department identifies a
36 prospective rail project that may have strategic significance for the
37 state, or at the request of a proponent of a prospective rail project
38 or a member of the legislature, the department shall evaluate the~~

1 prospective project according to the cost-benefit methodology developed
2 during the 2008 interim using the legislative priorities specified in
3 (b) of this subsection. The department shall report its cost-benefit
4 evaluation of the prospective rail project, as well as the department's
5 best estimate of an appropriate construction schedule and total project
6 costs, to the office of financial management and the transportation
7 committees of the legislature.

8 (b) The legislative priorities to be used in the cost-benefit
9 methodology are, in order of relative importance:

10 (i) Economic, safety, or environmental advantages of freight
11 movement by rail compared to alternative modes;

12 (ii) Self-sustaining economic development that creates family-wage
13 jobs;

14 (iii) Preservation of transportation corridors that would otherwise
15 be lost;

16 (iv) Increased access to efficient and cost-effective transport to
17 market for Washington's agricultural and industrial products;

18 (v) Better integration and cooperation within the regional,
19 national, and international systems of freight distribution; and

20 (vi) Mitigation of impacts of increased rail traffic on
21 communities.

22 **Sec. 311.** 2013 c 306 s 311 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
25 **CAPITAL**

26	Highway Infrastructure Account--State Appropriation	\$207,000
27	Highway Infrastructure Account--Federal	
28	Appropriation	\$1,602,000
29	(Freight Mobility Investment Account--State	
30	Appropriation	(\$11,794,000))
31	Transportation Partnership Account--State	
32	Appropriation	((\$7,214,000))
33		<u>\$9,236,000</u>
34	Highway Safety Account--State Appropriation	((\$11,255,000))
35		<u>\$8,915,000</u>
36	Motor Vehicle Account--State Appropriation	((\$6,918,000))
37		<u>\$2,201,000</u>

1	Motor Vehicle Account--Federal Appropriation	((\$28,413,000))
2		<u>\$34,581,000</u>
3	((Freight Mobility Multimodal Account--State	
4	Appropriation	\$9,736,000
5	Freight Mobility Multimodal Account--Private/Local	
6	Appropriation	\$1,320,000))
7	Multimodal Transportation Account--State	
8	Appropriation	((\$13,913,000))
9		<u>\$18,740,000</u>
10	TOTAL APPROPRIATION	((\$92,372,000))
11		<u>\$75,482,000</u>

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

14 (1) Except as provided otherwise in this section, the entire
15 appropriations in this section are provided solely for the projects and
16 activities as listed by project and amount in LEAP Transportation
17 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
18 March 10, 2014, Program - Local Programs (Z).

19 (2) With each department budget submittal, the department shall
20 provide an update on the status of the repayment of the twenty million
21 dollars of unobligated federal funds authority advanced by the
22 department in September 2010 to the city of Tacoma for the Murray
23 Morgan/11th Street bridge project. The department may negotiate with
24 the city of Tacoma an agreement for repayment of the funds over a
25 period of up to twenty-five years at terms agreed upon by the
26 department and the city. The funds previously advanced by the
27 department to the city are not to be considered a general obligation of
28 the city but instead an obligation payable from identified revenues set
29 aside for the repayment of the funds.

30 (3) The amounts identified in the LEAP transportation document
31 referenced under subsection (1) of this section for pedestrian
32 safety/safe routes to school are as follows:

33 (a) ((~~\$12,160,000~~)) \$16,543,000 of the multimodal transportation
34 account--state appropriation, ((~~\$6,824,000~~)) \$8,724,000 of the
35 transportation partnership account--state appropriation, and \$62,000 of
36 the motor vehicle account--federal appropriation are provided solely
37 for pedestrian and bicycle safety program projects.

1 (b) \$11,700,000 of the motor vehicle account--federal
2 appropriation(~~(, \$5,200,000 of the motor vehicle account--state~~
3 ~~appropriation,~~) and \$6,750,000 of the highway safety account--state
4 appropriation are provided solely for newly selected safe routes to
5 school projects, and (~~(\$3,400,000)~~) \$6,503,000 of the motor vehicle
6 account--federal appropriation and (~~(\$2,055,000)~~) \$2,165,000 of the
7 highway safety account--state appropriation are reappropriated for safe
8 routes to school projects selected in the previous biennia. The amount
9 provided for new projects is consistent with federal funding levels
10 from the 2011-2013 omnibus transportation appropriations act and the
11 intent of the fee increases in chapter 74, Laws of 2012 and chapter 80,
12 Laws of 2012. (~~The motor vehicle account--state appropriation in this~~
13 ~~subsection (3)(b) is the amount made available by the repeal of the~~
14 ~~deduction from motor vehicle fuel tax liability for handling losses of~~
15 ~~motor vehicle fuel, as identified in chapter . . . (Substitute House~~
16 ~~Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel).~~
17 ~~If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not~~
18 ~~enacted by June 30, 2013, the motor vehicle account--state~~
19 ~~appropriation in this subsection (3)(b) lapses.))~~

20 (4) (~~(\$84,000 of the motor vehicle account--state appropriation,~~
21 ~~\$3,250,000 of the motor vehicle account--federal appropriation,~~
22 ~~\$2,450,000 of the highway safety account--state appropriation,~~
23 ~~\$11,794,000 of the freight mobility investment account--state~~
24 ~~appropriation, \$9,736,000 of the freight mobility multimodal account--~~
25 ~~state appropriation, and \$1,320,000 of the freight mobility multimodal~~
26 ~~account--private/local appropriation are provided solely for the~~
27 ~~projects and activities as listed by project and amount in LEAP~~
28 ~~Transportation Document 2013-B as developed April 23, 2013. If chapter~~
29 ~~. . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June~~
30 ~~30, 2013, the amounts provided in this subsection lapse.~~

31 ~~(5))~~ The department may enter into contracts and make expenditures
32 for projects on behalf of and selected by the freight mobility
33 strategic investment board from the amounts provided in section 301 of
34 this act.

35 ~~((6))~~ (5) The department shall submit a report to the
36 transportation committees of the legislature by December 1, 2013, and
37 December 1, 2014, on the status of projects funded as part of the

1 pedestrian safety/safe routes to school grant program (0LP600P). The
2 report must include, but is not limited to, a list of projects selected
3 and a brief description of each project's status.

4 ~~((+7))~~ (6) \$50,000 of the motor vehicle account--state
5 appropriation is provided solely for the installation of a guard rail
6 on Deer Harbor Road in San Juan county (L2220054).

7 **Sec. 312.** 2013 c 306 s 312 (uncodified) is amended to read as
8 follows:

9 **ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

10 (1) As part of its budget submittal for the (~~2014 supplemental~~)
11 2015 biennial budget, the department of transportation shall provide an
12 update to the report provided to the legislature in 2013 that: (a)
13 Compares the original project cost estimates approved in the 2003 and
14 2005 project lists to the completed cost of the project, or the most
15 recent legislatively approved budget and total project costs for
16 projects not yet completed; (b) identifies highway projects that may be
17 reduced in scope and still achieve a functional benefit; (c) identifies
18 highway projects that have experienced scope increases and that can be
19 reduced in scope; (d) identifies highway projects that have lost
20 significant local or regional contributions that were essential to
21 completing the project; and (e) identifies contingency amounts
22 allocated to projects.

23 (2) As part of its budget submittal for the (~~2014 supplemental~~)
24 2015 biennial budget, the department of transportation shall provide an
25 annual report on the number of toll credits the department has
26 accumulated and how the department has used the toll credits.

27 **TRANSFERS AND DISTRIBUTIONS**

28 **Sec. 401.** 2013 c 306 s 401 (uncodified) is amended to read as
29 follows:

30 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
31 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
32 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
33 **REVENUE**

34 Transportation Partnership Account--State

1	Appropriation	((\$10,406,000))
2		<u>\$3,099,000</u>
3	Motor Vehicle Account--State Appropriation	((\$450,000))
4		<u>\$187,000</u>
5	State Route Number 520 Corridor Account--State	
6	Appropriation	\$3,866,000
7	Highway Bond Retirement Account--State	
8	Appropriation	((\$1,074,580,000))
9		<u>\$1,086,801,000</u>
10	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
11	Transportation Improvement Board Bond Retirement	
12	Account--State Appropriation	((\$16,267,000))
13		<u>\$16,268,000</u>
14	Nondebt-Limit Reimbursable Bond Retirement Account--State	
15	Appropriation	\$25,825,000
16	Toll Facility Bond Retirement Account--State	
17	Appropriation	\$52,050,000
18	((Toll Facility Bond Retirement Account--Federal	
19	Appropriation\$64,982,000))
20	Transportation 2003 Account (Nickel Account)--State	
21	Appropriation	((\$1,958,000))
22		<u>\$682,000</u>
23	((Special Category C Account--State Appropriation\$2,000))
24	TOTAL APPROPRIATION	((\$1,282,210,000))
25		<u>\$1,220,602,000</u>

26 **Sec. 402.** 2013 c 306 s 402 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
29 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
30 **FISCAL AGENT CHARGES**

31	Transportation Partnership Account--State	
32	Appropriation	((\$1,156,000))
33		<u>\$588,000</u>
34	Motor Vehicle Account--State Appropriation	((\$50,000))
35		<u>\$32,000</u>
36	State Route Number 520 Corridor Account--State	
37	Appropriation	\$531,000

1 Transportation 2003 Account (Nickel Account)--State
 2 Appropriation ((\$218,000))
 3 \$123,000
 4 TOTAL APPROPRIATION ((\$1,955,000))
 5 \$1,274,000

6 NEW SECTION. **Sec. 403.** A new section is added to 2013 c 306
 7 (uncodified) to read as follows:

8 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 9 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
 10 **STATUTORILY PRESCRIBED REVENUE**

11 Toll Facility Bond Retirement Account--Federal
 12 Appropriation \$69,913,000

13 **Sec. 404.** 2013 c 306 s 404 (uncodified) is amended to read as
 14 follows:

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

16 Motor Vehicle Account--State Appropriation: For
 17 motor vehicle fuel tax distributions to cities
 18 and counties ((\$474,610,000))
 19 \$478,598,000

20 **Sec. 405.** 2013 c 306 s 405 (uncodified) is amended to read as
 21 follows:

22 **FOR THE STATE TREASURER--TRANSFERS**

23 Motor Vehicle Account--State Appropriation: For
 24 motor vehicle fuel tax refunds and statutory
 25 transfers ((\$1,235,491,000))
 26 \$1,242,728,000

27 **Sec. 406.** 2013 c 306 s 406 (uncodified) is amended to read as
 28 follows:

29 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

30 Motor Vehicle Account--State Appropriation: For motor
 31 vehicle fuel tax refunds and transfers ((\$138,627,000))
 32 \$138,494,000

1 (12) Highway Safety Account--State Appropriation:
2 For transfer to the Puget Sound Ferry Operations
3 Account--State \$42,000,000
4 (13) Advanced Environmental Mitigation Revolving
5 Account--State Appropriation: For transfer to the Motor
6 Vehicle Account--State \$2,000,000
7 (14) Advanced Right-of-Way Revolving Fund--State
8 Appropriation: For transfer to the Motor Vehicle
9 Account--State \$6,000,000
10 (15) Tacoma Narrows Toll Bridge Account--State
11 Appropriation: For transfer to the Motor Vehicle
12 Account--State \$950,000
13 (16) License Plate Technology Account--State
14 Appropriation: For transfer to the Highway Safety
15 Account--State \$3,000,000
16 (17) Motor Vehicle Account--State Appropriation:
17 For transfer to the Transportation Equipment
18 Fund--State \$3,915,000
19 (18) (~~Multimodal Transportation Account--State~~
20 ~~Appropriation: For transfer to the Motor Vehicle~~
21 ~~Account--State \$10,000,000~~)
22 (a) Capital Vessel Replacement Account--State
23 Appropriation: For transfer to Transportation 2003
24 Account (Nickel Account)--State \$11,128,000
25 (b) If chapter . . . (Engrossed Second Substitute House Bill No.
26 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June
27 30, 2014, the amount transferred in (a) of this subsection lapses.
28 (19) Motor Vehicle Account--State Appropriation: For
29 transfer to the Interstate 405 Express Toll Lanes
30 Operations Account--State \$2,019,000

31 **COMPENSATION**

32 **Sec. 501.** 2013 c 306 s 517 (uncodified) is amended to read as
33 follows:

34 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
35 **BENEFITS**

1 No agreement has been reached between the governor and the health
2 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
3 biennium. Appropriations in this act for fiscal year 2014 for state
4 agencies, including institutions of higher education, are sufficient to
5 continue the provisions of the 2011-2013 collective bargaining
6 agreement. An agreement was reached between the governor and the
7 health care super coalition under chapter 41.80 RCW for fiscal year
8 2015. The agreement includes employer contributions to premiums at
9 eighty-five percent of the total weighted average of the projected
10 health care premiums. Appropriations in this act for fiscal year 2015
11 are sufficient to fund the provisions of the fiscal year 2015
12 collective bargaining agreement, and are subject to the following
13 conditions and limitations:

14 (1)(a) The monthly employer funding rate for insurance benefit
15 premiums, public employees' benefits board administration, and the
16 uniform medical plan must not exceed \$809 per eligible employee for
17 fiscal year 2014. For fiscal year 2015, the monthly employer funding
18 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

19 (b) In order to achieve the level of funding provided for health
20 benefits, the public employees' benefits board must require any of the
21 following: Employee premium copayments; increases in point-of-service
22 cost sharing; the implementation of managed competition; or other
23 changes to benefits consistent with the collective bargaining agreement
24 and RCW 41.05.065.

25 (c) The health care authority shall deposit any moneys received on
26 behalf of the uniform medical plan as a result of rebates on
27 prescription drugs, audits of hospitals, subrogation payments, or any
28 other moneys recovered as a result of prior uniform medical plan claims
29 payments into the public employees' and retirees' insurance account to
30 be used for insurance benefits. Such receipts must not be used for
31 administrative expenditures.

32 (2) The health care authority, subject to the approval of the
33 public employees' benefits board, shall provide subsidies for health
34 benefit premiums to eligible retired or disabled public employees and
35 school district employees who are eligible for medicare, pursuant to
36 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
37 \$150.00 per month.

1 **Sec. 502.** 2013 c 306 s 518 (uncodified) is amended to read as
2 follows:

3 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
4 **BENEFITS**

5 Appropriations for state agencies in this act are sufficient for
6 represented employees outside the super coalition for health benefits
7 and are subject to the following conditions and limitations:

8 (1)(a) The monthly employer funding rate for insurance benefit
9 premiums, public employees' benefits board administration, and the
10 uniform medical plan must not exceed \$809 per eligible employee for
11 fiscal year 2014. For fiscal year 2015, the monthly employer funding
12 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

13 (b) In order to achieve the level of funding provided for health
14 benefits, the public employees' benefits board shall require any of the
15 following: Employee premium copayments; increases in point-of-service
16 cost sharing; the implementation of managed competition; or other
17 changes to benefits consistent with RCW 41.05.065.

18 (c) The health care authority shall deposit any moneys received on
19 behalf of the uniform medical plan as a result of rebates on
20 prescription drugs, audits of hospitals, subrogation payments, or any
21 other moneys recovered as a result of prior uniform medical plan claims
22 payments into the public employees' and retirees' insurance account to
23 be used for insurance benefits. Such receipts must not be used for
24 administrative expenditures.

25 (2) The health care authority, subject to the approval of the
26 public employees' benefits board, shall provide subsidies for health
27 benefit premiums to eligible retired or disabled public employees and
28 school district employees who are eligible for medicare, pursuant to
29 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
30 \$150.00 per month.

31 **Sec. 503.** 2013 c 306 s 519 (uncodified) is amended to read as
32 follows:

33 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

34 Appropriations for state agencies in this act are sufficient for
35 nonrepresented state employee health benefits for state agencies,
36 including institutions of higher education, and are subject to the
37 following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan must not exceed \$809 per eligible employee for
4 fiscal year 2014. For fiscal year 2015, the monthly employer funding
5 rate must not exceed (~~(\$820)~~) \$703 per eligible employee.

6 (b) In order to achieve the level of funding provided for health
7 benefits, the public employees' benefits board shall require any of the
8 following: Employee premium copayments; increases in point-of-service
9 cost sharing; the implementation of managed competition; or make other
10 changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on
12 behalf of the uniform medical plan as a result of rebates on
13 prescription drugs, audits of hospitals, subrogation payments, or any
14 other moneys recovered as a result of prior uniform medical plan claims
15 payments into the public employees' and retirees' insurance account to
16 be used for insurance benefits. Such receipts must not be used for
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the
19 public employees' benefits board, shall provide subsidies for health
20 benefit premiums to eligible retired or disabled public employees and
21 school district employees who are eligible for medicare, pursuant to
22 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
23 \$150.00 per month.

24 IMPLEMENTING PROVISIONS

25 **Sec. 601.** 2013 c 306 s 603 (uncodified) is amended to read as
26 follows:

27 **FUND TRANSFERS**

28 (1) The transportation 2003 projects or improvements and the 2005
29 transportation partnership projects or improvements are listed in the
30 LEAP list titled (~~(2013-1)~~) 2014-1, as developed (~~(April 23, 2013)~~)
31 March 10, 2014, which consists of a list of specific projects by fund
32 source and amount over a ten-year period. Current fiscal biennium
33 funding for each project is a line-item appropriation, while the outer
34 year funding allocations represent a ten-year plan. The department is
35 expected to use the flexibility provided in this section to assist in

1 the delivery and completion of all transportation partnership account
2 and transportation 2003 account (nickel account) projects on the LEAP
3 transportation documents referenced in this act. However, this section
4 does not apply to the I-5/Columbia River Crossing project (400506A).
5 For the 2011-2013 and 2013-2015 project appropriations, unless
6 otherwise provided in this act, the director of financial management
7 may authorize a transfer of appropriation authority between projects
8 funded with transportation 2003 account (nickel account)
9 appropriations, or transportation partnership account appropriations,
10 in order to manage project spending and efficiently deliver all
11 projects in the respective program under the following conditions and
12 limitations:

13 (a) Transfers may only be made within each specific fund source
14 referenced on the respective project list;

15 (b) Transfers from a project may not be made as a result of the
16 reduction of the scope of a project or be made to support increases in
17 the scope of a project;

18 (c) Each transfer between projects may only occur if the director
19 of financial management finds that any resulting change will not hinder
20 the completion of the projects as approved by the legislature. Until
21 the legislature reconvenes to consider the 2014 supplemental omnibus
22 transportation appropriations act, any unexpended 2011-2013
23 appropriation balance as approved by the office of financial
24 management, in consultation with the legislative staff of the house of
25 representatives and senate transportation committees, may be considered
26 when transferring funds between projects;

27 (d) Transfers from a project may be made if the funds appropriated
28 to the project are in excess of the amount needed to complete the
29 project;

30 (e) Transfers may not occur for projects not identified on the
31 applicable project list;

32 (f) Transfers may not be made while the legislature is in session;
33 and

34 (g) Transfers between projects may be made, without the approval of
35 the director of the office of financial management, by the department
36 of transportation until the transfer amount by project exceeds two
37 hundred fifty thousand dollars, or ten percent of the total project,

1 whichever is less. These transfers must be reported quarterly to the
2 director of financial management and the chairs of the house of
3 representatives and senate transportation committees.

4 (2) At the time the department submits a request to transfer funds
5 under this section, a copy of the request must be submitted to the
6 transportation committees of the legislature.

7 (3) The office of financial management shall work with legislative
8 staff of the house of representatives and senate transportation
9 committees to review the requested transfers in a timely manner.

10 (4) The office of financial management shall document approved
11 transfers and schedule changes in the transportation executive
12 information system, compare changes to the legislative baseline funding
13 and schedules identified by project identification number identified in
14 the LEAP transportation documents referenced in this act, and transmit
15 revised project lists to chairs of the transportation committees of the
16 legislature on a quarterly basis.

17 NEW SECTION. **Sec. 602.** A new section is added to 2013 c 306
18 (uncodified) to read as follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION**

20 Except as otherwise provided in this act, the department may enter
21 into a new agreement with King county for the purpose of public
22 transportation mitigation for the SR 99/Alaskan Way Viaduct -
23 Replacement project through the end of the 2013-2015 fiscal biennium.
24 Before expending any funds, the department must inform the
25 transportation committees of the legislature of the amount and source
26 of the funds.

27 NEW SECTION. **Sec. 603.** A new section is added to 2013 c 306
28 (uncodified) to read as follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION**

30 (1) The department shall submit a report to the transportation
31 committees of the legislature detailing engineering errors on highway
32 construction projects resulting in project cost increases in excess of
33 five hundred thousand dollars. The department must submit a full
34 report within ninety days of the negotiated change order resulting from
35 the engineering error.

1 (2) The department's full report must include an assessment and
2 review of:

3 (a) How the engineering error happened;

4 (b) The department of the employee or employees responsible for the
5 engineering error, without disclosing the name of the employee or
6 employees;

7 (c) What corrective action was taken;

8 (d) The estimated total cost of the engineering error and how the
9 department plans to mitigate that cost;

10 (e) Whether the cost of the engineering error will impact the
11 overall project financial plan; and

12 (f) What action the secretary has recommended to avoid similar
13 engineering errors in the future.

14 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

15 **Sec. 701.** RCW 47.28.030 and 2011 c 367 s 710 are each amended to
16 read as follows:

17 (1)(a) A state highway shall be constructed, altered, repaired, or
18 improved, and improvements located on property acquired for
19 right-of-way purposes may be repaired or renovated pending the use of
20 such right-of-way for highway purposes, by contract or state forces.
21 The work or portions thereof may be done by state forces when the
22 estimated costs thereof are less than fifty thousand dollars and
23 effective July 1, 2005, sixty thousand dollars.

24 (b) When delay of performance of such work would jeopardize a state
25 highway or constitute a danger to the traveling public, the work may be
26 done by state forces when the estimated cost thereof is less than
27 eighty thousand dollars and effective July 1, 2005, one hundred
28 thousand dollars.

29 (c) When the department of transportation determines to do the work
30 by state forces, it shall enter a statement upon its records to that
31 effect, stating the reasons therefor.

32 (d) To enable a larger number of small businesses and veteran,
33 minority, and women contractors to effectively compete for department
34 of transportation contracts, the department may adopt rules providing

1 for bids and award of contracts for the performance of work, or
2 furnishing equipment, materials, supplies, or operating services
3 whenever any work is to be performed and the engineer's estimate
4 indicates the cost of the work would not exceed eighty thousand dollars
5 and effective July 1, 2005, one hundred thousand dollars.

6 (2) The rules adopted under this section:

7 (a) Shall provide for competitive bids to the extent that
8 competitive sources are available except when delay of performance
9 would jeopardize life or property or inconvenience the traveling
10 public; and

11 (b) Need not require the furnishing of a bid deposit nor a
12 performance bond, but if a performance bond is not required then
13 progress payments to the contractor may be required to be made based on
14 submittal of paid invoices to substantiate proof that disbursements
15 have been made to laborers, material suppliers, mechanics, and
16 subcontractors from the previous partial payment; and

17 (c) May establish prequalification standards and procedures as an
18 alternative to those set forth in RCW 47.28.070, but the
19 prequalification standards and procedures under RCW 47.28.070 shall
20 always be sufficient.

21 (3) The department of transportation shall comply with such goals
22 and rules as may be adopted by the office of minority and women's
23 business enterprises to implement chapter 39.19 RCW with respect to
24 contracts entered into under this chapter. The department may adopt
25 such rules as may be necessary to comply with the rules adopted by the
26 office of minority and women's business enterprises under chapter 39.19
27 RCW.

28 (4)(a) For the period of March 15, (~~(2010)~~) 2014, through June 30,
29 (~~(2013)~~) 2015, work for less than one hundred twenty thousand dollars
30 may be performed on ferry vessels and terminals by state forces.

31 (b) The department shall hire a disinterested, third party to
32 conduct an independent analysis to identify methods of reducing out-of-
33 service times for vessel maintenance, preservation, and improvement
34 projects. The analysis must include options that consider
35 consolidating work while vessels are at shipyards by having state
36 forces perform services traditionally performed at Eagle Harbor at the
37 shipyard and decreasing the allowable time at shipyards. The analysis
38 must also compare the out-of-service vessel times of performing

1 services by state forces versus contracting out those services which in
2 turn must be used to form a recommendation as to what the threshold of
3 work performed on ferry vessels and terminals by state forces should
4 be. This analysis must be presented to the transportation committees
5 of the senate and house of representatives by December 1, 2010.

6 (c) The department shall develop a proposed ferry vessel
7 maintenance, preservation, and improvement program and present it to
8 the transportation committees of the senate and house of
9 representatives by December 1, 2010. The proposed program must:

10 (i) Improve the basis for budgeting vessel maintenance,
11 preservation, and improvement costs and for projecting those costs into
12 a sixteen-year financial plan;

13 (ii) Limit the amount of planned out-of-service time to the
14 greatest extent possible, including options associated with department
15 staff as well as commercial shipyards; and

16 (iii) Be based on the service plan in the capital plan, recognizing
17 that vessel preservation and improvement needs may vary by route.

18 (d) In developing the proposed ferry vessel maintenance,
19 preservation, and improvement program, the department shall consider
20 the following, related to reducing vessel out-of-service time:

21 (i) The costs compared to benefits of Eagle Harbor repair and
22 maintenance facility operations options to include staffing costs and
23 benefits in terms of reduced out-of-service time;

24 (ii) The maintenance requirements for on-vessel staff, including
25 the benefits of a systemwide standard;

26 (iii) The costs compared to benefits of staff performing
27 preservation or maintenance work, or both, while the vessel is
28 underway, tied up between sailings, or not deployed;

29 (iv) A review of the department's vessel maintenance, preservation,
30 and improvement program contracting process and contractual
31 requirements;

32 (v) The costs compared to benefits of allowing for increased costs
33 associated with expedited delivery;

34 (vi) A method for comparing the anticipated out-of-service time of
35 proposed projects and other projects planned during the same
36 construction period;

37 (vii) Coordination with required United States coast guard dry
38 dockings;

1 (viii) A method for comparing how proposed projects relate to the
2 service requirements of the route on which the vessel normally
3 operates; and

4 (ix) A method for evaluating the ongoing maintenance and
5 preservation costs associated with proposed improvement projects.

6 **Sec. 702.** RCW 81.53.281 and 2003 c 190 s 3 are each amended to
7 read as follows:

8 There is hereby created in the state treasury a "grade crossing
9 protective fund" to carry out the provisions of RCW 81.53.261,
10 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or
11 subsidies to public, private, and nonprofit entities for rail safety
12 projects authorized or ordered by the commission; and for personnel and
13 associated costs related to supervising and administering rail safety
14 grants and/or subsidies. During the 2013-2015 fiscal biennium, funds
15 in this account may also be used to conduct the study required under
16 section 102 of this act. The commission shall transfer from the public
17 service revolving fund's miscellaneous fees and penalties accounts
18 moneys appropriated for these purposes as needed. At the time the
19 commission makes each allocation of cost to said grade crossing
20 protective fund, it shall certify that such cost shall be payable out
21 of said fund. When federal-aid highway funds are involved, the
22 department of transportation shall, upon entry of an order by the
23 commission requiring the installation or upgrading of a grade crossing
24 protective device, submit to the commission an estimate for the cost of
25 the proposed installation and related work. Upon receipt of the
26 estimate the commission shall pay to the department of transportation
27 the percentage of the estimate specified in RCW 81.53.295, as now or
28 hereafter amended, to be used as the grade crossing protective fund
29 portion of the cost of the installation and related work.

30 The commission may adopt rules for the allocation of money from the
31 grade crossing protective fund.

32 NEW SECTION. **Sec. 703.** A new section is added to 2013 c 306
33 (uncodified) to read as follows:

34 The office of the state treasurer shall explore the fiscal
35 implications with respect to outstanding motor vehicle fuel
36 transportation bonds and to future transportation bond sales, relating

1 to any reduction, refunding, crediting, or repeal of the motor vehicle
2 fuel tax, in whole or in part, that may occur in a transition to a
3 potential road usage charge by which transportation activities may be
4 funded in the future. The exploration of fiscal implications must
5 examine possible effects on the state credit rating, interest rates,
6 and other factors that affect the cost of financing transportation
7 projects. The draft report of this work must be shared with the
8 transportation committees of the legislature, the transportation
9 commission, and the office of financial management by September 1,
10 2014. A final report must be provided to the transportation committees
11 of the legislature, the transportation commission, and the office of
12 financial management by December 31, 2014.

13 **Sec. 704.** RCW 82.70.020 and 2013 c 306 s 718 are each amended to
14 read as follows:

15 (1) Employers in this state who are taxable under chapter 82.04 or
16 82.16 RCW and provide financial incentives to their own or other
17 employees for ride sharing, for using public transportation, for using
18 car sharing, or for using nonmotorized commuting before July 1,
19 ((2014)) 2015, are allowed a credit against taxes payable under
20 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
21 employees for ride sharing in vehicles carrying two or more persons,
22 for using public transportation, for using car sharing, or for using
23 nonmotorized commuting, not to exceed sixty dollars per employee per
24 fiscal year.

25 (2) Property managers who are taxable under chapter 82.04 or 82.16
26 RCW and provide financial incentives to persons employed at a worksite
27 in this state managed by the property manager for ride sharing, for
28 using public transportation, for using car sharing, or for using
29 nonmotorized commuting before July 1, ((2014)) 2015, are allowed a
30 credit against taxes payable under chapters 82.04 and 82.16 RCW for
31 amounts paid to or on behalf of these persons for ride sharing in
32 vehicles carrying two or more persons, for using public transportation,
33 for using car sharing, or for using nonmotorized commuting, not to
34 exceed sixty dollars per person per fiscal year.

35 (3) The credit under this section is equal to the amount paid to or
36 on behalf of each employee multiplied by fifty percent, but may not

1 exceed sixty dollars per employee per fiscal year. No refunds may be
2 granted for credits under this section.

3 (4) A person may not receive credit under this section for amounts
4 paid to or on behalf of the same employee under both chapters 82.04 and
5 82.16 RCW.

6 (5) A person may not take a credit under this section for amounts
7 claimed for credit by other persons.

8 **Sec. 705.** RCW 82.70.040 and 2013 c 306 s 719 are each amended to
9 read as follows:

10 (1)(a)(i) The department shall keep a running total of all credits
11 allowed under RCW 82.70.020 during each fiscal year. The department
12 shall not allow any credits that would cause the total amount allowed
13 to exceed two million seven hundred fifty thousand dollars in any
14 fiscal year. This limitation includes any deferred credits carried
15 forward under subsection (2)(b)(i) of this section from prior years.

16 (ii) During the 2013-2015 fiscal biennium, the department shall not
17 allow any credits that would cause the total amount allowed to exceed
18 one million five hundred thousand dollars in any fiscal year. This
19 limitation includes any deferred credits carried forward under
20 subsection (2)(b)(i) of this section from prior years.

21 (b) If the total amount of credit applied for by all applicants in
22 any year exceeds the limit in this subsection, the department shall
23 ratably reduce the amount of credit allowed for all applicants so that
24 the limit in this subsection is not exceeded. If a credit is reduced
25 under this subsection, the amount of the reduction may not be carried
26 forward and claimed in subsequent fiscal years.

27 (2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess
28 of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

29 (b)(i) Through June 30, 2005, a person with taxes equal to or in
30 excess of the credit under RCW 82.70.020, and therefore not subject to
31 the limitation in (a) of this subsection, may elect to defer tax
32 credits for a period of not more than three years after the year in
33 which the credits accrue. No credits deferred under this subsection
34 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
35 credits under this subsection (2)(b)(i) must submit an application as
36 provided in RCW 82.70.025 in the year in which the deferred tax credits
37 will be used. This application is subject to the provisions of

1 subsection (1) of this section for the year in which the tax credits
2 will be applied. If a deferred credit is reduced under subsection
3 (1)(b) of this section, the amount of deferred credit disallowed
4 because of the reduction may be carried forward as long as the period
5 of deferral does not exceed three years after the year in which the
6 credit was earned.

7 (ii) For credits approved by the department after June 30, 2005,
8 the approved credit may be carried forward to subsequent years until
9 used. Credits carried forward as authorized by this subsection are
10 subject to the limitation in subsection (1)(a) of this section for the
11 fiscal year for which the credits were originally approved.

12 (3) No person shall be approved for tax credits under RCW 82.70.020
13 in excess of two hundred thousand dollars in any fiscal year. This
14 limitation does not apply to credits carried forward from prior years
15 under subsection (2)(b) of this section.

16 (4) No person may claim tax credits after June 30, (~~(2014)~~) 2015.

17 (5) Credits may not be carried forward other than as authorized in
18 subsection (2)(b) of this section.

19 (6) No person is eligible for tax credits under RCW 82.70.020 if
20 the additional revenues for the multimodal transportation account
21 created by Engrossed Substitute House Bill No. 2231 are terminated.

22 **Sec. 706.** RCW 82.70.050 and 2003 c 364 s 5 are each amended to
23 read as follows:

24 (1) During the 2013-2015 fiscal biennium, the director shall on the
25 25th of February, May, August, and November of each year advise the
26 state treasurer of the amount of credit taken under RCW 82.70.020
27 during the preceding calendar quarter ending on the last day of
28 December, March, June, and September, respectively.

29 (2) On the last day of March, June, September, and December of each
30 year, the state treasurer, based upon information provided by the
31 department, shall deposit to the general fund a sum equal to the dollar
32 amount of the credit provided under RCW 82.70.020 from the multimodal
33 transportation account.

34 **Sec. 707.** RCW 82.70.900 and 2013 c 306 s 720 are each amended to
35 read as follows:

1 This chapter expires (~~July 1, 2014, except for RCW 82.70.050,~~
2 ~~which expires January 1, 2015~~) June 30, 2015.

3 **Sec. 708.** RCW 90.03.525 and 2005 c 319 s 140 are each amended to
4 read as follows:

5 (1) The rate charged by a local government utility to the
6 department of transportation with respect to state highway right-of-way
7 or any section of state highway right-of-way for the construction,
8 operation, and maintenance of storm water control facilities under
9 chapters 35.67, 35.92, 36.89, 36.94, 57.08, and 86.15 RCW, shall be
10 thirty percent of the rate for comparable real property, except as
11 otherwise provided in this section. The rate charged to the department
12 with respect to state highway right-of-way or any section of state
13 highway right-of-way within a local government utility's jurisdiction
14 shall not, however, exceed the rate charged for comparable city street
15 or county road right-of-way within the same jurisdiction. The
16 legislature finds that the aforesaid rates are presumptively fair and
17 equitable because of the traditional and continuing expenditures of the
18 department of transportation for the construction, operation, and
19 maintenance of storm water control facilities designed to control
20 surface water or storm water runoff from state highway rights-of-way.

21 (2) Charges paid under subsection (1) of this section by the
22 department of transportation must be used solely for storm water
23 control facilities that directly reduce (~~state highway~~) runoff
24 impacts or implementation of best management practices that will reduce
25 the need for such facilities. (~~By January 1st of each year, beginning~~
26 ~~with calendar year 1997, the local government utility, in coordination~~
27 ~~with the department, shall develop a plan for the expenditure of the~~
28 ~~charges for that calendar year. The plan must be consistent with the~~
29 ~~objectives identified in RCW 90.78.010. In addition, beginning with~~
30 ~~the submittal for 1998, the utility shall provide a progress report on~~
31 ~~the use of charges assessed for the prior year. No charges may be paid~~
32 ~~until the plan and report have been submitted to the department.~~)

33 (3) The utility imposing the charge and the department of
34 transportation may, however, agree to either higher or lower rates with
35 respect to the construction, operation, or maintenance of any specific
36 storm water control facilities (~~based upon the annual plan prescribed~~
37 ~~in subsection (2) of this section~~). If, after mediation, the local

1 government utility and the department of transportation cannot agree
2 upon the proper rate, either may commence an action in the superior
3 court for the county in which the state highway right-of-way is located
4 to establish the proper rate. The court in establishing the proper
5 rate shall take into account the extent and adequacy of storm water
6 control facilities constructed by the department and the actual
7 benefits to the sections of state highway rights-of-way from storm
8 water control facilities constructed, operated, and maintained by the
9 local government utility. Control of surface water runoff and storm
10 water runoff from state highway rights-of-way shall be deemed an actual
11 benefit to the state highway rights-of-way. The rate for sections of
12 state highway right-of-way as determined by the court shall be set
13 forth in terms of the percentage of the rate for comparable real
14 property, but shall in no event exceed the rate charged for comparable
15 city street or county road right-of-way within the same jurisdiction.

16 (4) The legislature finds that the federal clean water act
17 (national pollutant discharge elimination system, 40 C.F.R. parts 122-
18 124), the state water pollution control act, chapter 90.48 RCW, and the
19 highway runoff program under chapter 90.71 RCW, mandate the treatment
20 and control of storm water runoff from state highway rights-of-way
21 owned by the department of transportation. Appropriations made by the
22 legislature to the department of transportation for the construction,
23 operation, and maintenance of storm water control facilities are
24 intended to address applicable federal and state mandates related to
25 storm water control and treatment. This section is not intended to
26 limit opportunities for sharing the costs of storm water improvements
27 between cities, counties, and the state.

28 **MISCELLANEOUS**

29 NEW SECTION. **Sec. 801.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 802.** Section 701 of this act takes effect if
2 chapter . . . (Engrossed House Bill No. 2684), Laws of 2014 (ferry
3 vessel and terminal work) is not enacted by April 15, 2014.

4 NEW SECTION. **Sec. 803.** Section 708 of this act expires June 30,
5 2015.

6 NEW SECTION. **Sec. 804.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and takes effect
9 immediately.

(End of Bill)

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1 Correct the title.

--- END ---