

ESSB 5988 - S AMD 500

By Senators King, Hobbs

ADOPTED 7/1/2015

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

3 "NEW SECTION. **Sec. 1.** (1) An additive transportation budget of
4 the state is hereby adopted and, subject to the provisions set forth,
5 the several amounts specified, or as much thereof as may be necessary
6 to accomplish the purposes designated, are hereby appropriated from
7 the several accounts and funds named to the designated state agencies
8 and offices for employee compensation and other expenses, for capital
9 projects, and for other specified purposes, including the payment of
10 any final judgments arising out of such activities, for the period
11 ending June 30, 2017.

12 (2) It is the intent of the legislature that the funding levels
13 specified in LEAP Transportation Document 2015 NL-2 as developed June
14 28, 2015, represents a commitment to provide appropriations to the
15 agencies, programs, and activities at the amounts identified therein
16 through fiscal year 2031.

17 (3) Unless the context clearly requires otherwise, the
18 definitions in this subsection apply throughout this act.

19 (a) "Fiscal year 2016" or "FY 2016" means the fiscal year ending
20 June 30, 2016.

21 (b) "Fiscal year 2017" or "FY 2017" means the fiscal year ending
22 June 30, 2017.

23 (c) "FTE" means full-time equivalent.

24 (d) "Lapse" or "revert" means the amount shall return to an
25 unappropriated status.

26 (e) "Provided solely" means the specified amount may be spent
27 only for the specified purpose. Unless otherwise specifically
28 authorized in this act, any portion of an amount provided solely for
29 a specified purpose that is not expended subject to the specified
30 conditions and limitations to fulfill the specified purpose shall
31 lapse.

1 (f) "Reappropriation" means appropriation and, unless the context
2 clearly provides otherwise, is subject to the relevant conditions and
3 limitations applicable to appropriations.

4 (g) "LEAP" means the legislative evaluation and accountability
5 program committee.

6 (h) "TEIS" means the transportation executive information system.

7 **2015-2017 FISCAL BIENNIUM**
8 **TRANSPORTATION AGENCIES—OPERATING**

9 **NEW SECTION. Sec. 201. FOR THE JOINT TRANSPORTATION COMMITTEE**

10 Motor Vehicle Account—State Appropriation. \$450,000

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

13 (1) \$450,000 of the motor vehicle account—state appropriation is
14 for the joint transportation committee for the design-build
15 contracting review study established in chapter . . . (Second
16 Engrossed Substitute Senate Bill No. 5997), Laws of 2015 3rd sp.
17 sess. The department of transportation must provide technical
18 assistance, as necessary. If chapter . . . (Second Engrossed
19 Substitute Senate Bill No. 5997), Laws of 2015 3rd sp. sess. is not
20 enacted by July 31, 2015, the amount provided in this subsection
21 lapses.

22 (2) The joint transportation committee must study the issues
23 surrounding minority and women-owned business contracting related to
24 the transportation sector. The study should identify any best
25 practices adopted in other states that encourage participation by
26 minority and women-owned businesses. The joint transportation
27 committee, with direction from the executive committee, may form a
28 legislative task force at the conclusion of the study to help to
29 inform the legislature of any best practices identified from other
30 states that encourage minority and women-owned businesses'
31 participation in the transportation sector.

32 **NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF LICENSING**

33 Motor Vehicle Account—State Appropriation. \$4,000,000

34 The appropriation in this section is subject to the following
35 conditions and limitations: \$4,000,000 of the motor vehicle account—
36 state appropriation is provided solely for implementation of

1 chapter . . . (Engrossed Substitute Senate Bill No. 5987)
2 (transportation revenue), Laws of 2015 3rd sp. sess.

3 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **ECONOMIC PARTNERSHIPS—PROGRAM K**

5 Electric Vehicle Charging Infrastructure
6 Account—State Appropriation. \$1,000,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: \$1,000,000 of the electric vehicle
9 charging infrastructure account—state appropriation is provided
10 solely for the purpose of capitalizing the Washington electric
11 vehicle infrastructure bank as provided in chapter . . . (Engrossed
12 Substitute Senate Bill No. 5987), Laws of 2015 3rd sp. sess.

13 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—**
14 **HIGHWAY MAINTENANCE—PROGRAM M**

15 Motor Vehicle Account—State Appropriation. \$6,250,000

16 The appropriation in this section is subject to the following
17 conditions and limitations: During the 2015-2017 fiscal biennium, in
18 instances on private property when naturally occurring beaver dams
19 and the water contained behind the dams pose an imminent threat to
20 Washington state highway infrastructure, personal property, and
21 individual safety in the event of dam failure, the department shall:
22 (1) Notify the private property owner or owners of the threat; (2)
23 perform a risk assessment to the state highway infrastructure,
24 personal property, and public safety or loss of life; (3) coordinate
25 with the department of fish and wildlife to perform an environmental
26 risk assessment and develop a suggested beaver management plan to
27 reduce or eliminate the risk of failure; and (4) produce a joint
28 agency management plan with the department of fish and wildlife for
29 the site and involve local jurisdictions and nongovernmental
30 organizations to help execute the recommendations as devised by the
31 state agencies. Further, within that joint agency management plan,
32 the department and department of fish and wildlife shall identify and
33 prioritize potential remedies to include culvert replacement,
34 infrastructure upgrade, wildlife management tools, dam maintenance,
35 water level controls, and any other identifiable solution.

1 its budget submittal that, at a minimum, includes information about
2 the listed transit projects that have been funded and projects that
3 have been bypassed, including an estimated time frame for when the
4 bypassed project will be funded.

5 (b) \$831,000 of the amount provided in (a) of this subsection is
6 provided solely for Skagit transit system enhancements for
7 expenditure in 2015-2017.

8 (c) \$2,300,000 of the amount provided in (a) of this subsection
9 is provided solely for Island transit's tri-county connector service
10 for expenditure in 2015-2017.

11 (2) \$5,000,000 of the multimodal transportation account—state
12 appropriation is provided solely for grants to transit agencies to
13 transport persons with special transportation needs. Grants for
14 transit agencies must be prorated based on the amount expended for
15 demand response service and route deviated service in calendar year
16 2013 as reported in the "Summary of Public Transportation - 2013"
17 published by the department of transportation. No transit agency may
18 receive more than thirty percent of these distributions.

19 (3) \$1,250,000 of the multimodal transportation account—state
20 appropriation is provided solely for grants to nonprofit providers of
21 special needs transportation. Grants for nonprofit providers must be
22 based on need, including the availability of other providers of
23 service in the area, efforts to coordinate trips among providers and
24 riders, and the cost-effectiveness of trips provided.

25 (4) \$3,438,000 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 (5) \$969,000 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 must 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
37 is not allowed. The department must encourage grant applicants and
38 recipients to leverage funds other than state funds.

(6) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(7) \$6,250,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant program.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation. . .	\$1,922,000
Freight Mobility Multimodal Account—State Appropriation. . .	\$1,922,000
TOTAL APPROPRIATION.	\$3,844,000

NEW SECTION. Sec. 302. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State	
Appropriation.	\$2,188,000
Multimodal Transportation Account—State	
Appropriation.	\$3,313,000
TOTAL APPROPRIATION.	\$5,501,000

The appropriations in this section are subject to the following conditions and limitations: \$3,313,000 of the multimodal transportation account—state appropriation is provided solely for the complete streets program.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation.	\$1,094,000
County Arterial Preservation Account—State Appropriation.	\$1,094,000
TOTAL APPROPRIATION.	\$2,188,000

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)

Connecting Washington Account—State Appropriation.	\$20,000,000
--	--------------

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

(1) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in

1 LEAP Transportation Document 2015 NL-1 as developed June 28, 2015,
2 Program - Highway Management and Facilities Program (D).

3 (2) \$10,000,000 of the connecting Washington account—state
4 appropriation is provided solely for a new Olympic region maintenance
5 and administration facility to be located on the department-owned
6 site at the intersection of Marvin Road and 32nd Avenue. The property
7 purchase was approved by the 2005 legislature for the site of the new
8 Olympic region and the land was acquired by the department in August
9 2005. The department must work with the office of financial
10 management's facilities oversight program to develop a revised
11 predesign for a new Olympic region facility, with an estimated total
12 cost of no more than forty million dollars. Priority must be given to
13 accommodating the maintenance and operations functions of the Olympic
14 region. The department must provide a copy of the revised predesign
15 to the transportation committees of the legislature by December 2015.

16 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **IMPROVEMENTS—PROGRAM I**

18 Connecting Washington Account—State Appropriation. . . . \$229,025,000

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

21 (1) Except as provided otherwise in this section, the entire
22 connecting Washington account appropriation is provided solely for
23 the projects and activities as listed by fund, project, and amount in
24 LEAP Transportation Document 2015 NL-1 as developed June 28, 2015,
25 Program - Highway Improvements Program (I).

26 (2) It is the intent of the legislature that for the I-5 JBLM
27 Corridor Improvements project (M00100R), the department shall
28 actively pursue \$50,000,000 in federal funds to pay for this project
29 to supplant state funds in the future. \$50,000,000 in connecting
30 Washington account funding must be held in unallotted status during
31 the 2021-2023 fiscal biennium. These funds may only be used after the
32 department has provided notice to the office of financial management
33 that it has exhausted all efforts to secure federal funds from the
34 federal highway administration and the department of defense.

35 (3) Of the amounts allocated to the Puget Sound Gateway project
36 (M00600R) in LEAP Transportation Document 2015 NL-1 as developed June
37 28, 2015, \$4,000,000 must be used to complete the bridge connection
38 at 28th/24th Street over state route number 509 in the city of

1 SeaTac. The bridge connection must be completed prior to other
2 construction on the state route number 509 segment of the project.

3 (4) In making budget allocations to the Puget Sound Gateway
4 project, the department shall implement the project's construction as
5 a single corridor investment. The department shall develop a
6 coordinated corridor construction and implementation plan for state
7 route number 167 and state route number 509 in collaboration with
8 affected stakeholders. Specific funding allocations must be based on
9 where and when specific project segments are ready for construction
10 to move forward and investments can be best optimized for timely
11 project completion. Emphasis must be placed on avoiding gaps in fund
12 expenditures for either project.

13 (5) It is the intent of the legislature that, for the I-5/North
14 Lewis County Interchange project (L2000204), the department develop
15 and design the project with the objective of significantly improving
16 access to the industrially zoned properties in north Lewis
17 county. The design must consider the county's process of
18 investigating alternatives to improve such access from Interstate 5
19 that began in March 2015.

20 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
21 **PRESERVATION—PROGRAM P**

22 Connecting Washington Account—State Appropriation. . . . \$79,263,000

23 The appropriation in this section is subject to the following
24 conditions and limitations:

25 (1) Except as provided otherwise in this section, the entire
26 connecting Washington account appropriation in this section is
27 provided solely for the projects and activities as listed in LEAP
28 Transportation Document 2015 NL-1 as developed June 28, 2015, Program
29 - Highway Preservation Program (P).

30 (2) It is the intent of the legislature that, with respect to the
31 amounts provided for highway preservation from the connecting
32 Washington account, the department consider the preservation and
33 rehabilitation of concrete roadway on Interstate 5 from the Canadian
34 border to the Oregon border to be a priority within the preservation
35 program.

36 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
37 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

1 Connecting Washington Account—State Appropriation. . . . \$41,805,000

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

4 (1) Except as provided otherwise in this section, the entire
5 connecting Washington account appropriation in this section is
6 provided solely for the projects and activities as listed in LEAP
7 Transportation Document 2015 NL-1 as developed June 28, 2015, Program
8 - Washington State Ferries Capital Program (W).

9 (2) Within existing resources, the department must evaluate the
10 feasibility of utilizing the federal EB-5 immigrant investor program
11 for financing the construction of a safety of life at sea (SOLAS)
12 certificated vessel for the Anacortes-Sidney ferry route. The
13 department must establish a group that includes, but is not limited
14 to, the department of commerce and entities or individuals
15 experienced with vessel engineering and EB-5 financing for assistance
16 in evaluating the applicability of the EB-5 immigrant investor
17 program. The department must deliver a report containing the results
18 of the evaluation to the transportation committees of the legislature
19 and the office of financial management by December 1, 2015.

20 (3) It is the intent of the legislature, over the sixteen-year
21 new investment program, to provide \$96,052,000 in state funds to
22 complete the Seattle Terminal Replacement project (900010L),
23 including: (a) Design work and selection of a preferred plan, (b)
24 replacing timber pilings with pilings sufficient to support a
25 selected terminal design, (c) replacing the timber portion of the
26 dock with a new and reconfigured steel and concrete dock, and (d)
27 other staging and construction work as the amount allows. These funds
28 are identified in the LEAP transportation document referenced in
29 subsection (1) of this section.

30 (4) It is the intent of the legislature, over the sixteen-year
31 new investment program, to provide \$122,000,000 in state funds to
32 complete the acquisition of a fourth 144-car vessel (L2000109). These
33 funds are identified in the LEAP transportation document referenced
34 in subsection (1) of this section.

35 (5) It is the intent of the legislature, over the sixteen-year
36 new investment program, to provide \$68,600,000 in state funds to
37 complete the Mukilteo Terminal Replacement project (952515P). These
38 funds are identified in the LEAP transportation document referenced
39 in subsection (1) of this section. To the greatest extent practicable

1 and within available resources, the department shall design the new
2 terminal to be a net zero energy building. To achieve this goal, the
3 department shall evaluate using highly energy efficient equipment and
4 systems, and the most appropriate renewable energy systems for the
5 needs and location of the terminal.

6 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **RAIL—PROGRAM Y**

8 Multimodal Transportation Account—State
9 Appropriation. \$11,651,000

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

12 (1) Except as provided otherwise in this section, the entire
13 appropriation in this section is provided solely for the projects and
14 activities as listed in LEAP Transportation Document 2015 NL-1 as
15 developed June 28, 2015, Program - Rail Program (Y).

16 (2) \$970,000 of the multimodal transportation account—state
17 appropriation is provided solely for freight rail assistance program
18 grants (L1000143). The department shall issue a call for projects for
19 the program, and shall evaluate the applications in a manner
20 consistent with past practices as specified in section 309, chapter
21 367, Laws of 2011. By December 1, 2015, the department shall submit a
22 prioritized list of recommended projects to the office of financial
23 management and the transportation committees of the legislature.

24 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **LOCAL PROGRAMS—PROGRAM Z**

26 Motor Vehicle Account—Federal Appropriation. \$5,300,000
27 Multimodal Transportation Account—State Appropriation. . . \$13,494,000
28 Connecting Washington Account—State Appropriation. . . . \$49,054,000
29 TOTAL APPROPRIATION. \$67,848,000

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

32 (1) Except as provided otherwise in this section, the entire
33 connecting Washington account appropriation is provided solely for
34 the projects and activities as listed by fund, project, and amount in
35 LEAP Transportation Document 2015 NL-1 as developed June 28, 2015,
36 Program - Local Programs (Z).

1 (2) \$2,344,000 of the multimodal transportation account—state
2 appropriation is provided solely for the pedestrian and bicycle
3 safety grant program (L2000188).

4 (3) \$1,750,000 of the multimodal transportation account—state
5 appropriation and \$5,300,000 of the motor vehicle account—federal
6 appropriation are provided solely for newly selected safe routes to
7 schools projects (L2000189). The department may consider the special
8 situations facing high-need areas, as defined by schools or project
9 areas in which the percentage of the children eligible to receive
10 free and reduced-price meals under the national school lunch program
11 is equal to, or greater than, the state average as determined by the
12 department, when evaluating project proposals against established
13 funding criteria while ensuring continued compliance with federal
14 eligibility requirements.

15 (4) \$9,400,000 of the multimodal transportation account—state
16 appropriation is provided solely for bicycle and pedestrian projects
17 listed in LEAP Transportation Document 2015 NL-4 as developed June
18 28, 2015. Funds must first be used for projects that are identified
19 as priority one projects. As additional funds become available or if
20 a priority one project is delayed, funding must be provided to
21 priority two projects and then to priority three projects. If a
22 higher priority project is bypassed, it must be funded in the first
23 round after the project is ready. If funds become available as a
24 result of projects being removed from this list or completed under
25 budget, the department may submit additional bicycle and pedestrian
26 safety projects for consideration by the legislature. The department
27 must submit a report annually with its budget submittal that, at a
28 minimum, includes information about the listed bicycle and pedestrian
29 projects that have been funded and projects that have been bypassed,
30 including an estimated time frame for when the project will be
31 funded.

32 **TRANSFERS AND DISTRIBUTIONS**

33 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—ADMINISTRATIVE**
34 **TRANSFERS**

35 (1) State Patrol Highway Account—State Appropriation:
36 For transfer to the Connecting Washington Account—State. . \$9,690,000

37 (2) Transportation Partnership Account—State

1 Appropriation: For transfer to the Connecting Washington
 2 Account—State. \$4,998,000
 3 (3) Motor Vehicle Account—State Appropriation:
 4 For transfer to the Connecting Washington Account—
 5 State. \$25,781,000
 6 (4) Puget Sound Ferry Operations Account—State
 7 Appropriation: For transfer to the Connecting Washington
 8 Account—State. \$596,000
 9 (5) Transportation 2003 Account (Nickel Account)—State
 10 Appropriation: For transfer to the Connecting Washington
 11 Account—State. \$2,270,000
 12 (6) Highway Safety Account—State Appropriation:
 13 For transfer to the Multimodal Transportation
 14 Account—State. \$5,000,000
 15 (7) Motor Vehicle Account—State Appropriation:
 16 For transfer to the Freight Mobility Investment
 17 Account—State. \$1,922,000
 18 (8) Motor Vehicle Account—State Appropriation:
 19 For transfer to the Transportation Improvement
 20 Account—State. \$2,188,000
 21 (9) Motor Vehicle Account—State Appropriation:
 22 For transfer to the Rural Arterial Trust Account—State. . . \$1,094,000
 23 (10) Motor Vehicle Account—State Appropriation:
 24 For transfer to the County Arterial Preservation
 25 Account—State. \$1,094,000
 26 (11) Multimodal Transportation Account—State
 27 Appropriation: For transfer to the Freight Mobility
 28 Multimodal Account—State. \$1,922,000
 29 (12) Multimodal Transportation Account—State
 30 Appropriation: For transfer to the Regional Mobility
 31 Grant Program Account—State. \$6,250,000
 32 (13) Multimodal Transportation Account—State
 33 Appropriation: For transfer to the Rural Mobility
 34 Grant Program Account—State. \$3,438,000
 35 (14) Multimodal Transportation Account—State
 36 Appropriation: For transfer to the Electric Vehicle
 37 Charging Infrastructure Account—State. \$1,000,000
 38 (15) Capital Vessel Replacement Account—State

1 Appropriation: For transfer to the Connecting
2 Washington Account—State. \$61,000,000
3 (16) Multimodal Transportation Account—State
4 Appropriation: For transfer to the Connecting
5 Washington Account—State. \$8,000,000

6 **IMPLEMENTING PROVISIONS**

7 **NEW SECTION. Sec. 501. STAFFING LEVELS**

8 (1) As the department of transportation prepares to deliver the
9 projects funded by the 2015 transportation revenue package, the
10 department shall quickly develop and implement the construction
11 program business plan so that future staffing levels are sustainable
12 and meet necessary skill sets. This can be done effectively and
13 efficiently in close partnership with the private sector.

14 (2) To this end, the department of transportation shall maintain
15 the size of its engineering and technical workforce at levels that
16 approximate the staffing levels currently in place, realizing that
17 minor adjustments will be needed to meet project delivery goals.

18 (3) To successfully deliver the highway construction program as
19 funded, the department of transportation may continue to utilize
20 private consulting firms for engineering and technical service
21 delivery.

22 (4) The department shall provide a report regarding engineering
23 employee recruitment and retention issues affecting program oversight
24 and delivery. In addition to salary survey market data, the report
25 must consider employee compensation issues for engineering and
26 technical positions that may hinder the recruitment and retention of
27 a quality core workforce in preliminary engineering, design, and
28 construction programs. The report must provide recommendations to the
29 legislature and governor by June 30, 2016.

30 **NEW SECTION. Sec. 502.** (1) By November 15, 2015, and annually
31 thereafter, the department of transportation must report on amounts
32 expended to benefit transit, bicycle, or pedestrian elements within
33 all connecting Washington projects in programs I, P, and Z identified
34 in LEAP Transportation Document 2015 NL-1 as developed June 28, 2015.
35 The report must address each modal category separately and identify

1 if eighteenth amendment protected funds have been used and, if not,
2 the source of funding.

3 (2) To facilitate the report in subsection (1) of this section,
4 the department of transportation must require that all bids on
5 connecting Washington projects include an estimate on the cost to
6 implement any transit, bicycle, or pedestrian project elements.

7 **MISCELLANEOUS**

8 **Sec. 601.** RCW 46.68.030 and 2011 c 171 s 85 are each amended to
9 read as follows:

10 (1) The director shall forward all fees for vehicle registrations
11 under chapters 46.16A and 46.17 RCW, unless otherwise specified by
12 law, to the state treasurer with a proper identifying detailed
13 report. The state treasurer shall credit these moneys to the motor
14 vehicle fund created in RCW 46.68.070.

15 (2) Proceeds from vehicle license fees and renewal vehicle
16 license fees must be deposited by the state treasurer as follows:

17 (a) \$20.35 of each initial or renewal vehicle license fee must be
18 deposited in the state patrol highway account in the motor vehicle
19 fund, hereby created. Vehicle license fees, renewal vehicle license
20 fees, and all other funds in the state patrol highway account must be
21 for the sole use of the Washington state patrol for highway
22 activities of the Washington state patrol, subject to proper
23 appropriations and reappropriations.

24 (b) \$2.02 of each initial vehicle license fee and \$0.93 of each
25 renewal vehicle license fee must be deposited each biennium in the
26 Puget Sound ferry operations account.

27 (c) Any remaining amounts of vehicle license fees and renewal
28 vehicle license fees that are not distributed otherwise under this
29 section must be deposited in the motor vehicle fund.

30 (3) During the 2015-2017 fiscal biennium, the legislature may
31 transfer from the state patrol highway account to the connecting
32 Washington account such amounts as reflect the excess fund balance of
33 the state patrol highway account.

34 **Sec. 602.** RCW 46.68.060 and 2013 c 306 s 717 are each amended to
35 read as follows:

36 There is hereby created in the state treasury a fund to be known
37 as the highway safety fund to the credit of which must be deposited

1 all moneys directed by law to be deposited therein. This fund must be
2 used for carrying out the provisions of law relating to driver
3 licensing, driver improvement, financial responsibility, cost of
4 furnishing abstracts of driving records and maintaining such case
5 records, and to carry out the purposes set forth in RCW 43.59.010,
6 and chapters 46.72 and 46.72A RCW. During the ((2011-2013—and))
7 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer
8 from the highway safety fund to the Puget Sound ferry operations
9 account, the motor vehicle fund, and the multimodal transportation
10 account such amounts as reflect the excess fund balance of the
11 highway safety fund.

12 **Sec. 603.** RCW 46.68.280 and 2003 c 361 s 601 are each amended to
13 read as follows:

14 (1) The transportation 2003 account (nickel account) is hereby
15 created in the motor vehicle fund. Money in the account may be spent
16 only after appropriation. Expenditures from the account must be used
17 only for projects or improvements identified as transportation 2003
18 projects or improvements in the omnibus transportation budget and to
19 pay the principal and interest on the bonds authorized for
20 transportation 2003 projects or improvements. Upon completion of the
21 projects or improvements identified as transportation 2003 projects
22 or improvements, moneys deposited in this account must only be used
23 to pay the principal and interest on the bonds authorized for
24 transportation 2003 projects or improvements, and any funds in the
25 account in excess of the amount necessary to make the principal and
26 interest payments may be used for maintenance on the completed
27 projects or improvements.

28 (2) During the 2015-2017 fiscal biennium, the legislature may
29 transfer from the transportation 2003 account (nickel account) to the
30 connecting Washington account such amounts as reflect the excess fund
31 balance of the transportation 2003 account (nickel account).

32 (3) The "nickel account" means the transportation 2003 account.

33 **Sec. 604.** RCW 46.68.290 and 2006 c 337 s 5 are each amended to
34 read as follows:

35 (1) The transportation partnership account is hereby created in
36 the state treasury. All distributions to the account from RCW
37 46.68.090 must be deposited into the account. Money in the account
38 may be spent only after appropriation. Expenditures from the account

1 must be used only for projects or improvements identified as 2005
2 transportation partnership projects or improvements in the omnibus
3 transportation appropriations act, including any principal and
4 interest on bonds authorized for the projects or improvements.

5 (2) The legislature finds that:

6 (a) Citizens demand and deserve accountability of transportation-
7 related programs and expenditures. Transportation-related programs
8 must continuously improve in quality, efficiency, and effectiveness
9 in order to increase public trust;

10 (b) Transportation-related agencies that receive tax dollars must
11 continuously improve the way they operate and deliver services so
12 citizens receive maximum value for their tax dollars; and

13 (c) Fair, independent, comprehensive performance audits of
14 transportation-related agencies overseen by the elected state auditor
15 are essential to improving the efficiency, economy, and effectiveness
16 of the state's transportation system.

17 (3) For purposes of chapter 314, Laws of 2005:

18 (a) "Performance audit" means an objective and systematic
19 assessment of a state agency or agencies or any of their programs,
20 functions, or activities by the state auditor or designee in order to
21 help improve agency efficiency, effectiveness, and accountability.
22 Performance audits include economy and efficiency audits and program
23 audits.

24 (b) "Transportation-related agency" means any state agency,
25 board, or commission that receives funding primarily for
26 transportation-related purposes. At a minimum, the department of
27 transportation, the transportation improvement board or its successor
28 entity, the county road administration board or its successor entity,
29 and the traffic safety commission are considered transportation-
30 related agencies. The Washington state patrol and the department of
31 licensing shall not be considered transportation-related agencies
32 under chapter 314, Laws of 2005.

33 (4) Within the authorities and duties under chapter 43.09 RCW,
34 the state auditor shall establish criteria and protocols for
35 performance audits. Transportation-related agencies shall be audited
36 using criteria that include generally accepted government auditing
37 standards as well as legislative mandates and performance objectives
38 established by state agencies. Mandates include, but are not limited
39 to, agency strategies, timelines, program objectives, and mission and
40 goals as required in RCW 43.88.090.

1 (5) Within the authorities and duties under chapter 43.09 RCW,
2 the state auditor may conduct performance audits for transportation-
3 related agencies. The state auditor shall contract with private firms
4 to conduct the performance audits.

5 (6) The audits may include:

6 (a) Identification of programs and services that can be
7 eliminated, reduced, consolidated, or enhanced;

8 (b) Identification of funding sources to the transportation-
9 related agency, to programs, and to services that can be eliminated,
10 reduced, consolidated, or enhanced;

11 (c) Analysis of gaps and overlaps in programs and services and
12 recommendations for improving, dropping, blending, or separating
13 functions to correct gaps or overlaps;

14 (d) Analysis and recommendations for pooling information
15 technology systems used within the transportation-related agency, and
16 evaluation of information processing and telecommunications policy,
17 organization, and management;

18 (e) Analysis of the roles and functions of the transportation-
19 related agency, its programs, and its services and their compliance
20 with statutory authority and recommendations for eliminating or
21 changing those roles and functions and ensuring compliance with
22 statutory authority;

23 (f) Recommendations for eliminating or changing statutes, rules,
24 and policy directives as may be necessary to ensure that the
25 transportation-related agency carry out reasonably and properly those
26 functions vested in the agency by statute;

27 (g) Verification of the reliability and validity of
28 transportation-related agency performance data, self-assessments, and
29 performance measurement systems as required under RCW 43.88.090;

30 (h) Identification of potential cost savings in the
31 transportation-related agency, its programs, and its services;

32 (i) Identification and recognition of best practices;

33 (j) Evaluation of planning, budgeting, and program evaluation
34 policies and practices;

35 (k) Evaluation of personnel systems operation and management;

36 (l) Evaluation of purchasing operations and management policies
37 and practices;

38 (m) Evaluation of organizational structure and staffing levels,
39 particularly in terms of the ratio of managers and supervisors to
40 nonmanagement personnel; and

1 (n) Evaluation of transportation-related project costs, including
2 but not limited to environmental mitigation, competitive bidding
3 practices, permitting processes, and capital project management.

4 (7) Within the authorities and duties under chapter 43.09 RCW,
5 the state auditor must provide the preliminary performance audit
6 reports to the audited state agency for comment. The auditor also may
7 seek input on the preliminary report from other appropriate
8 officials. Comments must be received within thirty days after receipt
9 of the preliminary performance audit report unless a different time
10 period is approved by the state auditor. The final performance audit
11 report shall include the objectives, scope, and methodology; the
12 audit results, including findings and recommendations; the agency's
13 response and conclusions; and identification of best practices.

14 (8) The state auditor shall provide final performance audit
15 reports to the citizens of Washington, the governor, the joint
16 legislative audit and review committee, the appropriate legislative
17 committees, and other appropriate officials. Final performance audit
18 reports shall be posted on the internet.

19 (9) The audited transportation-related agency is responsible for
20 follow-up and corrective action on all performance audit findings and
21 recommendations. The audited agency's plan for addressing each audit
22 finding and recommendation shall be included in the final audit
23 report. The plan shall provide the name of the contact person
24 responsible for each action, the action planned, and the anticipated
25 completion date. If the audited agency does not agree with the audit
26 findings and recommendations or believes action is not required, then
27 the action plan shall include an explanation and specific reasons.

28 The office of financial management shall require periodic
29 progress reports from the audited agency until all resolution has
30 occurred. The office of financial management is responsible for
31 achieving audit resolution. The office of financial management shall
32 annually report by December 31st the status of performance audit
33 resolution to the appropriate legislative committees and the state
34 auditor. The legislature shall consider the performance audit results
35 in connection with the state budget process.

36 The auditor may request status reports on specific audits or
37 findings.

38 (10) For the period from July 1, 2005, until June 30, 2007, the
39 amount of \$4,000,000 is appropriated from the transportation

1 partnership account to the state auditors office for the purposes of
2 subsections (2) through (9) of this section.

3 (11) During the 2015-2017 fiscal biennium, the legislature may
4 transfer from the transportation partnership account to the
5 connecting Washington account such amounts as reflect the excess fund
6 balance of the transportation partnership account.

7 **Sec. 605.** RCW 47.60.530 and 2011 1st sp.s. c 16 s 1 are each
8 amended to read as follows:

9 (1) The Puget Sound ferry operations account is created in the
10 motor vehicle fund.

11 (2) The following funds must be deposited into the account:

- 12 (a) All moneys directed by law;
- 13 (b) All revenues generated from ferry fares; and
- 14 (c) All revenues generated from commercial advertising,
15 concessions, parking, and leases as allowed under RCW 47.60.140.

16 (3) Moneys in the account may be spent only after appropriation.

17 (4) Expenditures from the account may be used only for the
18 maintenance, administration, and operation of the Washington state
19 ferry system.

20 (5) During the 2015-2017 fiscal biennium, the legislature may
21 transfer from the Puget Sound ferry operations account to the
22 connecting Washington account such amounts as reflect the excess fund
23 balance of the Puget Sound ferry operations account.

24 **Sec. 606.** 2015 1st sp.s c 10 s 212 (uncodified) is amended to
25 read as follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

27 Aeronautics Account—State Appropriation.	\$8,143,000
28 Aeronautics Account—Federal Appropriation.	\$4,100,000
29 Aeronautics Account—Private/Local Appropriation.	\$60,000
30 TOTAL APPROPRIATION.	\$12,303,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: \$4,137,000 of the aeronautics account—
33 state appropriation is provided solely for airport investment studies
34 and the airport aid grant program, which provides competitive grants
35 to public airports for pavement, safety, maintenance, planning, and
36 security. Of this amount, \$637,000 lapses if chapter . . .
37 (Substitute Senate Bill No. 5324), Laws of 2015 3rd sp. sess.

1 (aircraft excise taxes) is not enacted by (~~June 30~~) July 31, 2015,
2 chapter . . . (Substitute Senate Bill No. 6057) Laws of 2015 3rd sp.
3 sess. (relating to revenue) is not enacted by July 31, 2015, and an
4 expenditure to the aeronautics account is not provided in the
5 2015-2017 omnibus appropriations act by (~~June 30~~) July 31, 2015.

6 NEW SECTION. Sec. 607. If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

10 NEW SECTION. Sec. 608. This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of
12 the state government and its existing public institutions, and takes
13 effect immediately."

ESSB 5988 - S AMD 500
By Senators King, Hobbs

ADOPTED 7/1/2015

14 On page 1, line 2 of the title, after "appropriations;" strike
15 the remainder of the title and insert "amending RCW 46.68.030,
16 46.68.060, 46.68.280, 46.68.290, and 47.60.530; amending 2015 1st
17 sp.s. c 10 s 212 (uncodified); creating new sections; making
18 appropriations; and declaring an emergency."

(End of Bill)

INDEX	PAGE #
COUNTY ROAD ADMINISTRATION BOARD	6
DEPARTMENT OF LICENSING	2
DEPARTMENT OF TRANSPORTATION	
ECONOMIC PARTNERSHIPS—PROGRAM K	3
FACILITIES—PROGRAM D—(DOT-ONLY PROJECTS)	6
HIGHWAY MAINTENANCE—PROGRAM M	3
IMPROVEMENTS—PROGRAM I	7
LOCAL PROGRAMS—PROGRAM Z	10
PRESERVATION—PROGRAM P	8
PUBLIC TRANSPORTATION—PROGRAM V	4
RAIL—PROGRAM Y	10
TRAFFIC OPERATIONS—PROGRAM Q	4
TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S	4
WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W	8
FOR THE JOINT TRANSPORTATION COMMITTEE	2
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	6
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	11
TRANSPORTATION IMPROVEMENT BOARD	6

--- END ---