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**SENATE BILL 5214**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Hobbs and Palumbo; by request of Office of Financial Management

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.280, 46.68.325, 47.56.403, 47.56.876, 81.53.281, 47.10.861, and 46.68.370; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**2019-2021 FISCAL BIENNIUM**

NEW SECTION. **Sec.**  (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2021.

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

(a) "Fiscal year 2020" or "FY 2020" means the fiscal year ending June 30, 2020.

(b) "Fiscal year 2021" or "FY 2021" means the fiscal year ending June 30, 2021.

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

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

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

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

**GENERAL GOVERNMENT AGENCIES—OPERATING**

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

Motor Vehicle Account—State Appropriation $545,000

NEW SECTION. **Sec.**  **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account—State Appropriation $1,405,000

Puget Sound Ferry Operations Account—State Appropriation $116,000

TOTAL APPROPRIATION $1,521,000

NEW SECTION. **Sec.**  **FOR THE STATE PARKS AND RECREATION COMMISSION**

Motor Vehicle Account—State Appropriation $1,186,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Account—State Appropriation $1,362,000

The appropriation in this section is subject to the following conditions and limitations: Within the amount appropriated in this section, the department shall conduct a pilot program to consist of the following activities:

(1) The department shall produce a fuel tax sticker for display on each motor fuel pump from which fuel is sold at retail that displays and provides notice of the federal and state fuel tax rates. The sticker must display the rate of each tax, in cents per gallon, for each type of fuel.

(2) The department shall provide notice of federal and state fuel tax rates, in the form of a fuel tax sticker, with any other notice displayed or required by department rule to be displayed on motor fuel pumps.

(3) The department shall distribute fuel tax stickers to all individuals who conduct fuel pump inspections, including department employees and local government employees. Government employees who conduct fuel pump inspections shall display a fuel tax sticker on each motor fuel pump or shall verify that such a sticker is being displayed at the time of inspection as required under this subsection. Fuel tax stickers must:

(a) Be displayed on each face of the motor fuel pump on which the price of the fuel sold from the pump is displayed; and

(b) Be displayed in a clear, conspicuous, and prominent manner.

(4) The department shall provide fuel tax stickers by mail to fuel pump owners who request them for the face of each motor fuel pump for which a sticker is requested.

(5) The department shall produce updated fuel tax stickers on an annual basis when one or more fuel tax rates have changed. Fuel tax stickers must be replaced at the time of motor fuel pump inspection if the sticker has been updated with any new fuel tax rates.

NEW SECTION. **Sec.**  **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Motor Vehicle Account—State Appropriation $627,000

NEW SECTION. **Sec.**  **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

Pilotage Account—State Appropriation $5,442,000

The appropriation in this section is subject to the following conditions and limitations: $3,354,000 of the pilotage account—state appropriation is provided solely for self-insurance liability premium expenditures; however, this appropriation is contingent upon the board:

(1) Annually depositing the first one hundred fifty thousand dollars collected through Puget Sound pilotage district pilotage tariffs into the pilotage account; and

(2) Assessing a self-insurance premium surcharge of sixteen dollars per pilotage assignment on vessels requiring pilotage in the Puget Sound pilotage district.

NEW SECTION. **Sec.**  **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Grade Crossing Protective Account—State Appropriation $504,000

Pilotage Account—State Appropriation $150,000

TOTAL APPROPRIATION $654,000

NEW SECTION. **Sec.**  **FOR THE HOUSE OF REPRESENTATIVES**

Motor Vehicle Account—State Appropriation $2,240,000

NEW SECTION. **Sec.**  **FOR THE SENATE**

Motor Vehicle Account—State Appropriation $2,059,000

**TRANSPORTATION AGENCIES—OPERATING**

NEW SECTION. **Sec.**  **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

Highway Safety Account—State Appropriation $5,275,000

Highway Safety Account—Federal Appropriation $26,254,000

Highway Safety Account—Private/Local Appropriation $118,000

School Zone Safety Account—State Appropriation $850,000

TOTAL APPROPRIATION $32,497,000

The appropriations in this section are subject to the following conditions and limitations: $150,000 of the highway safety account—state appropriation is provided solely for the implementation of Z-0114.1/19 (Active Transportation Safety Advisory Council). If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.

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

Rural Arterial Trust Account—State Appropriation $1,139,000

Motor Vehicle Account—State Appropriation $2,779,000

County Arterial Preservation Account—State Appropriation $1,679,000

TOTAL APPROPRIATION $5,597,000

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

Transportation Improvement Account—State Appropriation $4,534,000

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

Motor Vehicle Account—State Appropriation $1,491,000

NEW SECTION. **Sec.**  **FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation $2,744,000

Multimodal Transportation Account—State Appropriation $112,000

TOTAL APPROPRIATION $2,856,000

The appropriations in this section are subject to the following conditions and limitations: The commission shall not consider the facility renewal and replacement costs in determining toll rates as part of the initial toll rate setting process on the deep bore tunnel portion of state route number 99.

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

Motor Vehicle Account—State Appropriation $871,000

NEW SECTION. **Sec.**  **FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation $541,518,000

State Patrol Highway Account—Federal Appropriation $16,138,000

State Patrol Highway Account—Local Appropriation $4,251,000

Highway Safety Account—State Appropriation $1,231,000

Ignition Interlock Device Revolving—State Appropriation $510,000

Multimodal Transportation Account—State Appropriation $290,000

TOTAL APPROPRIATION $563,938,000

The appropriations in this section are subject to the following conditions and limitations: Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

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

Marine Fuel Tax Refund Account—State Appropriation $34,000

Motorcycle Safety Education Account—State

Appropriation $5,112,000

State Wildlife Account—State Appropriation $537,000

Highway Safety Account—State Appropriation $264,793,000

Highway Safety Account—Federal Appropriation $1,294,000

Motor Vehicle Account—State Appropriation $87,566,000

Motor Vehicle Account—Private/Local Appropriation $7,520,000

Ignition Interlock Device Revolving Account—State

Appropriation $5,932,000

Department of Licensing Services Account—State

Appropriation $6,817,000

Abandoned Recreational Vehicle Account—State

Appropriation $2,925,000

Limousine Carriers Account—State Appropriation $113,000

TOTAL APPROPRIATION $382,643,000

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

(1) $185,000 of the motorcycle safety account—state appropriation is provided for in Z-0079.2/19 (addressing motorcycle safety). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

(2) $431,000 of the highway safety account—state appropriation is provided solely for a new driver testing system at the department. Pursuant to RCW 43.135.055 and 46.82.310, the department is authorized to increase driver training school license application and renewal fees in fiscal years 2020 and 2021, as necessary to fully support the cost of activities related to administration of the driver training school program, including the cost of the new driver testing system described in this section.

(3) Appropriations provided for the data stewardship and privacy project in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) Appropriations provided for the cloud-continuity of operations project in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

High-Occupancy Toll Lanes Operation—State Appropriation $3,950,000

Motor Vehicle Account—State Appropriation $513,000

State Route Number 520 Corridor Account—State

Appropriation $46,840,000

State Route Number 520 Civil Penalties Account—State

Appropriation $5,254,000

Tacoma Narrows Toll Bridge Account—State Appropriation $30,135,000

Alaskan Way Viaduct Replacement Pro—State Appropriation $20,061,000

I-405 Express Toll Lanes Operations—State Appropriation $20,743,000

TOTAL APPROPRIATION $127,496,000

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

(1) $1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and $11,034,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

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

(3) $71,000 of the high occupancy toll lanes operations account—state appropriation, $1,238,000 of the state route number 520 corridor account—state appropriation, $532,000 of the Tacoma Narrows toll bridge account—state appropriation, $460,000 of the Interstate 405 express toll lanes operations account—state appropriation, and $699,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to implement a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(a) The department must provide a project status report to the office of financial management and the transportation committees of the legislature on at least a calendar quarterly basis until the completion of the project. The report must include, but is not limited to:

(i) Detailed information about the planned and actual scope, schedule, and budget;

(ii) Status of key vendor and other project deliverables; and

(iii) A description of significant changes to planned deliverables or system functions over the life of the project.

(b) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(4) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty.

(5) In calendar year 2021, toll equipment on the Tacoma Narrows Bridge will have reached the end of its operational life. During the 2019-2021 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(6) $19,362,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating customer services, and maintaining toll collection systems. Due to the uncertainty of the new state route number 99 tunnel toll facility actual toll transactions and revenues, the legislature is holding the other tolled facilities' administrative cost shares constant for this biennium. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility commences and any previously incurred costs for start up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State Appropriation $1,460,000

Motor Vehicle Account—State Appropriation $109,449,000

Puget Sound Ferry Operations Account—State Appropriation $263,000

Multimodal Transportation Account—State Appropriation $2,878,000

Transportation 2003 Account (Nickel A)—State

Appropriation $1,460,000

TOTAL APPROPRIATION $115,510,000

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

(1) $11,717,000 of the motor vehicle account—state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that reductions will be made to central service agency charges accordingly.

(2) $7,107,000 of the motor vehicle account—state appropriation is provided solely for the department to establish a new financial and capital systems program to ensure a strategic, comprehensive, and holistic approach to modernizing the department's enterprise and business systems.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation $34,088,000

State Route Number 520 Corridor Account—State Appropriation $34,000

TOTAL APPROPRIATION $34,122,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation $7,558,000

Aeronautics Account—Federal Appropriation $2,542,000

Aeronautics Account—Local Appropriation $60,000

TOTAL APPROPRIATION $10,160,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

Motor Vehicle Account—State Appropriation $59,835,000

Motor Vehicle Account—Federal Appropriation $500,000

Multimodal Transportation Account—State Appropriation $258,000

TOTAL APPROPRIATION $60,593,000

The appropriations in this section are subject to the following conditions and limitations: With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation $676,000

Multimodal Transportation Account—State

Appropriation $2,000,000

Electric Vehicle Account—State Appropriation $1,000,000

TOTAL APPROPRIATION $3,676,000

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

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

(2) $2,000,000 of the multimodal transportation account—state appropriation is provided solely for expanding and enhancing the electric vehicle network across the state.

(3)(a) $1,000,000 of the electric vehicle account—state appropriation is provided solely for an electric vehicle education and promotion program that helps achieve the Results Washington goal of fifty thousand electric vehicles on the road by 2020, by encouraging electric vehicle purchases and raising awareness about electric vehicle incentives.

(b) In particular, the department shall provide customized outreach to low-income residents and low-income communities to increase consumer awareness about electric vehicles and available incentives.

(c) For the purposes of this subsection (3):

(i) "Low-income" means a resident of the state whose household income is less than or equal to three hundred percent of the federal poverty level.

(ii) "Low-income community" means a community in the state with residents whose household income is less than or equal to three hundred percent of the federal poverty level.

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

Motor Vehicle Account—State Appropriation $496,131,000

Motor Vehicle Account—Federal Appropriation $7,000,000

State Route Number 520 Corridor Account—State Appropriation $4,447,000

Tacoma Narrows Toll Bridge Account—State Appropriation $1,549,000

Alaskan Way Viaduct Replacement Program Account—State

Appropriation $9,547,000

I-405 Express Toll Lanes Operations Account—State

Appropriation $1,782,000

TOTAL APPROPRIATION $520,456,000

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

(1) $8,000,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

(2) $4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) $1,549,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) $5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department will notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

Motor Vehicle Account—State Appropriation $70,785,000

Motor Vehicle Account—Federal Appropriation $2,050,000

Motor Vehicle Account—Local Appropriation $250,000

Multimodal Transportation Account—State Appropriation $3,000,000

TOTAL APPROPRIATION $76,085,000

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

(1) $6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2019-2021 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for high occupancy toll lanes.

(3) $3,000,000 of the multimodal transportation account—state appropriation is provided solely for the creation of a cooperative automated transportation program.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Motor Vehicle Account—State Appropriation $40,128,000

Motor Vehicle Account—Federal Appropriation $1,380,000

Motor Vehicle Account—Private/Local Appropriation $500,000

Multimodal Transportation Account—State Appropriation $1,129,000

TOTAL APPROPRIATION $43,137,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

Motor Vehicle Account—State Appropriation $32,399,000

Motor Vehicle Account—Federal Appropriation $24,885,000

Motor Vehicle Account—Private/Local Appropriation $1,000,000

Multimodal Transportation Account—State Appropriation $710,000

Multimodal Transportation Account—Federal Appropriation $2,809,000

Multimodal Transportation Account—Local Appropriation $100,000

TOTAL APPROPRIATION $61,903,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U**

Motor Vehicle Account—State Appropriation $80,145,000

Multimodal Transportation Account—State Appropriation $2,591,000

TOTAL APPROPRIATION $82,736,000

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

State Vehicle Parking Account—State Appropriation $754,000

Regional Mobility Grant Program—State Appropriation $99,025,000

Rural Mobility Grant Program Account—State

Appropriation $32,223,000

Multimodal Transportation Account—State Appropriation $109,128,000

Multimodal Transportation Account—Federal Appropriation $3,574,000

Multimodal Transportation Account—Private/Local

Appropriation $100,000

TOTAL APPROPRIATION $244,804,000

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

(1) $52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

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

(b) $40,679,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2017 as reported in the "2017 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) $32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) $10,290,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

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

(4) $21,346,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Public Transportation Program (V).

(5) $77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the OFM transportation document referenced in this subsection. Using the change management process, the department may use savings from completed or deferred projects to advance or fully fund projects identified in the OFM transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2019, and December 15, 2020, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

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

(7) $5,670,000 of the multimodal transportation account—state appropriation and $754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities.

(8) $27,048,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in OFM Transportation Document 19GOV001 as developed December 10, 2018. It is the intent of the legislature that entities identified to receive funding in the OFM document referenced in this subsection receive the amounts specified in the time frame specified in that OFM document. If an entity has already completed a project in the OFM document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) $2,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(10) $12,518,000 is provided solely for securing transit passes for state employees, outside of higher education, with work locations in King, Pierce, and Snohomish counties, as provided in sections 503 through 520 and 527 of this act.

(11) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

Puget Sound Ferry Operations Account—State

Appropriation $557,511,000

Puget Sound Ferry Operations Account—Federal

Appropriation $7,932,000

Puget Sound Ferry Operations Account—Local Appropriation $121,000

TOTAL APPROPRIATION $565,564,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2019-2021 supplemental and 2021-2023 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2019-2021 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(3) $78,356,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2019-2021 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(4) $30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2019, and annually thereafter, and that the report include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(5) $750,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

Multimodal Transportation Account—State Appropriation $83,951,000

Multimodal Transportation Account—Local Appropriation $296,000

TOTAL APPROPRIATION $84,247,000

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

(1) $3,000,000 of the multimodal transportation account—state appropriation and $250,000 of the multimodal transportation account—private/local appropriation is provided solely for the development of a new ultra high-speed ground transportation corridor authority with participation from Washington, Oregon, and British Columbia. "Ultra high-speed" means a maximum testing speed of at least two hundred fifty miles per hour.

(2) The corridor authority development must abide by the Memorandum of Understanding signed by the governor of Washington and the premier of the province of British Columbia in October 2018. It must also abide by any additional Partnership Agreement established by the states of Washington, Oregon, and British Columbia. The corridor authority development shall strengthen regional collaboration and analyze and develop a bistate and binational structure that addresses, but is not limited to: Ultra high-speed corridor governance, general powers, operating structure, legal instruments, and contracting requirements. It must also build on the results of the 2018 Washington state ultra high-speed ground transportation business case analysis. The corridor authority development must conduct outreach and preliminary environmental review. It must include a robust community engagement process to refine the alignment for communities and businesses relevant to the ultra high-speed corridor between Portland, Oregon and Vancouver, British Columbia. It must also develop recommendations towards establishing the appropriate level of authorization to advance the development, including environmental analysis of an ultra high-speed ground transportation corridor.

(3) By June 30, 2020, the department shall provide to the governor and the transportation committees of the legislature an assessment of current laws in Washington, Oregon, and British Columbia related to an ultra high-speed ground transportation corridor, identify any laws, regulations or agreements that need to be modified or passed in order to proceed with developing an ultra high-speed corridor, and summarize the results from the community engagement process. As applicable, the assessment should also be sent to the executive and legislative branches of government in the state of Oregon and appropriate government bodies in the province of British Columbia.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

Motor Vehicle Account—State Appropriation $11,080,000

Motor Vehicle Account—Federal Appropriation $2,567,000

Multimodal Transportation Account—State Appropriation $350,000

Multiuse Roadway Safety Account—State Appropriation $132,000

TOTAL APPROPRIATION $14,129,000

The appropriations in this section are subject to the following conditions and limitations: $350,000 of the multimodal transportation account—state appropriation is provided to the Puget Sound regional council to study new passenger ferry service to better connect communities throughout the twelve county Puget Sound region. The study shall assess potential new routes, identify future terminal locations, and provide recommendations to accelerate the electrification of the ferry fleet. The study shall identify future passenger only demand throughout Western Washington, analyze potential routes and terminal locations on Puget Sound, Lake Washington, and Lake Union with an emphasis on preserving waterfront opportunities in public ownership and opportunities for partnership. The study shall estimate capital and operating costs for routes and terminals. The study shall include early and continuous outreach with all interested stakeholders and a report to the legislature and all interested parties by January 31, 2021.

**TRANSPORTATION AGENCIES—CAPITAL**

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

Freight Mobility Investment Account—State Appropriation $20,314,000

Freight Mobility Multimodal Account—State Appropriation $23,160,000

TOTAL APPROPRIATION $43,474,000

NEW SECTION. **Sec.**  **FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation $3,348,000

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

(1) $250,000 for emergency repairs;

(2) $539,000 for roof replacements;

(3) $350,000 for fuel tank decommissioning;

(4) $759,000 for generator and electrical replacement;

(5) $750,000 for water and fire suppression systems; and

(6) $700,000 for academy training tank preservation reappropriation.

The Washington state patrol may transfer funds between projects specified in this section to address cash flow requirements. If a project specified in this section is completed for less than the amount provided, the remainder may be transferred to another project specified in this section not to exceed the total appropriation provided in this section.

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

Rural Arterial Trust Account—State Appropriation $65,996,000

Motor Vehicle Account—State Appropriation $1,456,000

County Arterial Preservation Account—State Appropriation $39,590,000

TOTAL APPROPRIATION $107,042,000

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

Small City Pavement & Sidewalk Account—State

Appropriation $5,900,000

Transportation Improvement Account—State Appropriation $225,500,000

Multimodal Transportation Account—State Appropriation $14,670,000

TOTAL APPROPRIATION $246,070,000

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

(1) The entire multimodal transportation account—state appropriation is provided solely for the complete streets program.

(2) $9,687,000 of the transportation improvement account—state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit program.

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

Motor Vehicle Account—State Appropriation $53,117,000

Connecting Washington Account—State Appropriation $42,497,000

TOTAL APPROPRIATION $95,614,000

The appropriations in this section are subject to the following conditions and limitations: The entire connecting Washington account—state appropriation is provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program – Facilities Program (D).

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

Transportation Partnership Account—State Appropriation $290,541,000

Motor Vehicle Account—State Appropriation $230,993,000

Motor Vehicle Account—Federal Appropriation $174,337,000

Motor Vehicle Account—Local Appropriation $19,839,000

Connecting WA account—State Appropriation $2,316,845,000

Special Category C Account—State Appropriation $74,000,000

Multimodal Transportation Account—State Appropriation $5,929,000

Alaskan Way Viaduct Replacement Pro—State Appropriation $77,951,000

Transportation 2003 Account (Nickel Account)—State

Appropriation $9,014,000

I-405 Express Toll Lanes Operations—State Appropriation $34,036,000

TOTAL APPROPRIATION $3,233,485,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program – Highway Improvements Program (I).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation, motor vehicle account—federal appropriation, and the connecting Washington account—state appropriation the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(5) The connecting Washington account—state appropriation includes up to $1,688,742,000 in proceeds from the sale of bonds authorized in RCW 47.10.889. Of the amount provided, up to $200,000,000 in proceeds is intended for projects constructed using the design-build methodology to implement subsection (9) of this section.

(6) The transportation 2003 account (nickel account)—state appropriation includes up to $3,768,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) The Alaskan Way viaduct replacement project account—state appropriation includes up to $77,955,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(8) The special category C account—state appropriation includes up to $74,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(9)(a) Greater use of design-build project delivery is expected to result in more efficient project delivery. Therefore, for design-build projects funded as part of the 2015 connecting Washington transportation package listed on the OFM transportation document identified in subsection (1) of this section, if the design-build project requires additional appropriation, the department may apply any anticipated excess connecting Washington appropriations to implement this section. If the department does not expect the revenue in the current fiscal biennium to support the design-build project, the department may request the sale of up to $200,000,000 in additional bonds as authorized in subsection (5) of this section.

(b) Before implementing this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The notification must identify the design-build project, the amount of additional appropriation authority needed for the design-build project, and the amount of additional bonds being sold.

(10) $98,464,000 of the transportation partnership account—state appropriation, $7,006,000 of the motor vehicle account—private/local appropriation, $3,383,000 of the transportation 2003 account (nickel account)—state appropriation, $77,951,000 of the Alaskan Way viaduct replacement project account—state appropriation, and $1,838,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(11) $3,521,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(12) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(13) $164,000,000 of the connecting Washington account—state appropriation is provided solely for the US 395/North Spokane Corridor project (M00800R).

(14) $27,000,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project.

(15) $395,822,000 of the connecting Washington account—state appropriation is provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(16) $265,100,000 of the connecting Washington account—state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) Proceeds from the sale of any surplus real property acquired for the purpose of building the SR 167/SR 509 Puget Sound Gateway (M00600R) project must be deposited into the motor vehicle account for the purpose of constructing the project.

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

(b) For the SR 167/SR 509 Puget Sound Gateway project (M00600R) the department is strongly encouraged to work to relocate any significant businesses currently located within the planned path of the state route number 509/Interstate 5 under-crossing to a location within the Kent city limits. The department shall provide regular updates on its progress to the joint transportation committee and affected stakeholders.

(c) In designing the state route number 509/state route number 516 interchange component of the SR 167/SR 509 Puget Sound Gateway project (M00600R), the department shall make every effort to utilize the preferred "4B" design.

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

(19) For the SR 520 Seattle Corridor Improvements – West End project (M00400R), the legislature recognizes the department must acquire the entirety of parcel number 1-23190 for construction of the project. The department shall work with its design-build contractor to ensure to the maximum extent practicable that the building housing any grocery store or market currently located on parcel number 1-23190 will be preserved. The legislature recognizes the city of Seattle has requirements in the project area that the department must address and that those requirements may affect the use of parcel number 1-23190 and may affect the ability of the department to preserve any grocery store or market currently located on the property. The department shall meet and confer regularly with residents in the vicinity of the parcel regarding the status of the project and its effects on any grocery store or market currently located on the property. The legislature strongly encourages the city to utilize maximum flexibility in how the department meets the city's requirements and to be an equal partner in efforts to preserve any grocery store or market on parcel number 1-23190.

(20) $17,500,000 of the motor vehicle account—state appropriation is provided solely for the opening of a project office to replace the Interstate 5 bridge across the Columbia river. The work of this project office should include, but is not limited to, the reevaluation of the purpose and need identified for the project previously known as the Columbia river crossing, the reevaluation of permits and development of a finance plan, the reengagement of key stakeholders, and the reevaluation of scope, schedule and budget for a reinvigorated bistate effort for replacement of the Interstate 5 Columbia river bridge. When reevaluating the finance plan for the project, the department shall assume that some costs of the new facility may be covered by tolls. Additionally, in reevaluating the project scope, the department shall assume any plan for a new bridge will include light rail. The department shall provide a progress report to the governor and the transportation committees of the legislature by September 30, 2019, and a final report to the governor and the transportation committees of the legislature by September 30, 2020.

(21) $192,539,000 of the motor vehicle account—state appropriation, $37,500,000 of the connecting Washington account—state appropriation, and $44,961,000 of the motor vehicle account—federal appropriation are provided solely for the Fish Passage Barrier project (0BI4001) with the intent of fully complying with the court injunction by 2030.

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

Recreational Vehicle Account—State Appropriation $1,744,000

Transportation Partnership Account—State Appropriation $23,706,000

Motor Vehicle Account—State Appropriation $90,385,000

Motor Vehicle Account—Federal Appropriation $454,758,000

Motor Vehicle Account—Local Appropriation $5,159,000

SR #520 Corridor Account—State Appropriation $544,000

Connecting WA account—State Appropriation $177,233,000

Tacoma Narrows Toll Bridge Account—State Appropriation $7,906,000

Transportation 2003 Account (Nickel Account)—State

Appropriation $9,617,000

I-405 Express Toll Lanes Operations Account—State

Appropriation $2,393,000

TOTAL APPROPRIATION $773,445,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Highway Preservation Program (P).

(2) Except as otherwise provided in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program – Highway Preservation Program (P).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation, motor vehicle account—federal appropriation, and the connecting Washington account—state appropriation the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(5) $25,036,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(6) $5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project.

(7) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

Motor Vehicle Account—State Appropriation $6,611,000

Motor Vehicle Account—Federal Appropriation $5,331,000

Motor Vehicle Account—Local Appropriation $500,000

TOTAL APPROPRIATION $12,442,000

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

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

Puget Sound Capital Construction—State Appropriation $203,216,000

Puget Sound Capital Construction—Federal Appropriation $141,750,000

Puget Sound Capital Construction—Local Appropriation $350,000

Transportation Partnership Account—State Appropriation $4,936,000

Connecting WA account—State Appropriation $121,537,000

TOTAL APPROPRIATION $471,789,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Washington State Ferries Capital Program (W).

(2) $59,650,000 of the connecting Washington account—state appropriation and $1,461,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net-zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal. To the extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction. Of the amounts provided in this subsection, $750,000 of the Puget Sound capital construction account—state appropriation is provided solely for additional photovoltaic panels for this project.

(3) $73,089,000 of the Puget Sound capital construction account—federal appropriation, $61,860,000 of the connecting Washington account—state appropriation, and $8,778,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) $5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) $990,000 of the Puget Sound capital construction account—state appropriation is provided solely for an electric ferry planning team (G2000087) to develop a ten year implementation plan to efficiently deploy hybrid-electric vessel charging at ferry terminals. The plan includes, but is not limited to, vessel technology and feasibility, vessel and terminal deployment schedules, and project financing. Activities may also include preliminary engineering to advance implementation as needed to have vessels and terminals operational in conjunction with each other. The plan shall be submitted to the office of financial management and the transportation committees of the legislature by June 30, 2020.

(6) The Puget Sound capital construction account—state appropriation includes up to $149,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) $64,330,000 of the Puget Sound capital construction account—state appropriation is provided solely for the construction of two new electric ferries (G2000083).

(8) $44,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for the conversion of two Jumbo Mark II vessels to electric hybrid (G2000084).

(9) $9,215,000 of the Puget Sound capital construction account—state appropriation is provided solely for construction of vessel charging stations at the Seattle (G2000085) and Bainbridge (G2000086) ferry terminals.

(10) $13,700,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry dispatch system replacement project (9989010) and are subject to the conditions, limitations, and review provided in 701 of this act.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Essential Rail Assistance Account—State Appropriation $500,000

Transportation Infrastructure Account—State Appropriation $7,554,000

Multimodal Transportation Account—State Appropriation $83,191,000

Multimodal Transportation Account—Federal Appropriation $600,000

TOTAL APPROPRIATION $91,845,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Rail Program (Y).

(2) $7,136,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) $8,112,000 of the multimodal transportation account—state appropriation and $135,000 of the essential rail assistance account—state appropriation, and $51,000 of the transportation infrastructure account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the OFM transportation document referenced in subsection (1) of this section.

(4) $367,000 of the transportation infrastructure account—state appropriation and $1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Growers, Incorporated for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full $7,337,000 cost of this project is reimbursed.

(5)(a) $365,000 of the essential rail assistance account—state appropriation is provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad;

(ii) Revenues from trackage rights agreement fees paid by shippers; and

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

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2020, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Highway Infrastructure Account—State Appropriation $793,000

Highway Infrastructure Account—Federal Appropriation $981,000

Transportation Partnership Account—State Appropriation $750,000

Highway Safety Account—State Appropriation $800,000

Motor Vehicle Account—State Appropriation $17,420,000

Motor Vehicle Account—Federal Appropriation $64,000,000

Motor Vehicle Account—Local Appropriation $21,500,000

Connecting WA account—State Appropriation $170,854,000

Multimodal Transportation Account—State Appropriation $70,049,000

TOTAL APPROPRIATION $347,147,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in OFM Transportation Document 19GOV001 as developed December 10, 2018, Program - Local Programs Program (Z).

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

(a) $18,380,000 of the multimodal transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. $5,940,000 of the multimodal transportation account—state appropriation and $750,000 of the transportation partnership account—state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) $11,400,000 of the motor vehicle account—federal appropriation and $7,750,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. $6,900,000 of the motor vehicle account—federal appropriation, $2,320,000 of the multimodal transportation account—state appropriation, and $800,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2019, and December 1, 2020, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) $28,319,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the OFM transportation document referenced in subsection (1) of this section.

(5) $19,160,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the OFM transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full $24,000,000 cost of this project.

NEW SECTION. **Sec.**  **ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

(1) As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year that: (a) Compares the original project cost estimates approved in the 2003, 2005, and 2015 revenue package project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its annual budget submittal, the department of transportation shall provide: (a) An annual report on the number of toll credits the department has accumulated and how the department has used the toll credits, and (b) a status report on the projects funded using federal national highway freight program funds.

NEW SECTION. **Sec.**  **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

NEW SECTION. **Sec.**  **FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES**

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

**TRANSFERS, DISTRIBUTIONS, AND SPECIAL APPROPRIATIONS**

NEW SECTION. **Sec.**  **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Transportation Partnership Account—State

Appropriation $390,000

Connecting Washington Account—State Appropriation $8,444,000

Highway Bond Retirement Account—State

Appropriation $1,254,974,000

Ferry Bond Retirement Account—State Appropriation $25,077,000

Transportation Improvement Board Bond Retirement

Account—State Appropriation $12,684,000

Nondebt-Limit Reimbursable Bond Retirement

Account—State Appropriation $29,585,000

Toll Facility Bond Retirement Account—State

Appropriation $86,483,000

Special Category C Account—State Appropriation $370,000

Transportation 2003 Account (Nickel Account)—State

Appropriation $764,000

TOTAL APPROPRIATION $1,418,771,000

NEW SECTION. **Sec.**  **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Transportation Partnership Account—State

Appropriation $78,000

Connecting Washington Account—State Appropriation $1,689,000

Transportation 2003 Account (Nickel Account)—State

Appropriation $153,000

Special Category C Account—State Appropriation $74,000

TOTAL APPROPRIATION $1,994,000

NEW SECTION. **Sec.**  **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—Federal

Appropriation $199,522,000

Toll Facility Bond Retirement Account—State Appropriation $25,372,000

TOTAL APPROPRIATION $224,894,000

NEW SECTION. **Sec.**  **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account—State Appropriation:

For motor vehicle fuel tax distributions to

cities and counties $521,515,000

NEW SECTION. **Sec.**  **FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation:

For motor vehicle fuel tax refunds and

statutory transfers $2,222,414,000

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

(1) Motor Vehicle Account—State Appropriation:

For transfer to the Freight Mobility Investment

Account—State $8,511,000

(2) Motor Vehicle Account—State Appropriation:

For transfer to the Rural Arterial Trust

Account—State $4,844,000

(3) Motor Vehicle Account—State Appropriation:

For transfer to the Transportation Improvement

Account—State $9,688,000

(4) Highway Safety Account—State Appropriation:

For transfer to the State Patrol Highway

Account—State $31,167,000

(5) Rural Mobility Grant Program Account—State

Appropriation: For transfer to the Multimodal

Transportation Account—State $3,000,000

(6) State Route Number 520 Civil Penalties

Account—State Appropriation: For transfer to

the State Route Number 520 Corridor

Account—State $1,832,000

(7) Capital Vessel Replacement Account—State

Appropriation: For transfer to the Connecting

Washington Account—State $36,500,000

(8) Multimodal Transportation Account—State

Appropriation: For transfer to the Freight

Mobility Multimodal Account—State $8,511,000

(9) Multimodal Transportation Account—State

Appropriation: For transfer to the Puget Sound

Ferry Operations Account—State $65,500,000

(10) Multimodal Transportation Account—State

Appropriation: For transfer to the Regional

Mobility Grant Program Account—State $27,679,000

(11) Multimodal Transportation Account—State

Appropriation: For transfer to the Rural

Mobility Grant Program Account—State $15,223,000

(12) Tacoma Narrows Toll Bridge Account—State

Appropriation: For transfer to the Motor

Vehicle Account—State $5,950,000

(13) Transportation 2003 Account (Nickel Account)—

State Appropriation: For transfer to the Connecting

Washington Account—State $28,000,000

(14)(a) Transportation Partnership Account—State

Appropriation: For transfer to the Alaskan Way Viaduct

Replacement Project Account—State $77,955,000

(b) The amount transferred in this subsection represents that portion of the up to $200,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873, intended to be sold through the 2021-2023 fiscal biennium, used only for construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z), and that must be repaid from the Alaskan Way viaduct replacement project account consistent with RCW 47.56.864.

(15) Motor Vehicle Account—State Appropriation:

For transfer to the County Arterial Preservation

Account—State $4,844,000

(16) Multimodal Transportation Account—State

Appropriation: For transfer to the Highway Safety

Account—State $14,446,000

(17)(a) Alaskan Way Viaduct Replacement Project

Account—State Appropriation: For transfer to the

Transportation Partnership Account—State $15,145,000

(b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement Project (809936Z).

(18)(a) Transportation 2003 Account(Nickel Account)—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State $149,000,000

(b) The amount transferred in this subsection represents that portion of the up to $149,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861, intended to be sold through the 2019-2021 fiscal biennium, used only for construction of ferry projects identified in OFM Transportation Document 19GOV001 as developed December 10, 2018.

(19) License Plate Technology Account—State

Appropriation: For transfer to the Highway Safety

Account—State $3,500,000

(20) Motor Vehicle Account—State Appropriation:

For transfer to the State Patrol Highway Account—

State $45,211,000

(21) Multimodal Transportation Account—State

Appropriation: For transfer to the Pilotage Account—

State $2,700,000

NEW SECTION. **Sec.**  **FOR THE OFFICE OF FINANCIAL MANAGEMENT—MULTIMODAL TRANSPORTATION ACCOUNT**

Pilotage Account—State Appropriation $2,000

State Patrol Highway Account—State Appropriation $352,000

Highway Safety Account—State Appropriation $162,000

Motor Vehicle Account—State Appropriation $656,000

Puget Sound Ferry Operations Account—State

Appropriation $1,590,000

State Route Number 520 Corridor Account—State

Appropriation $24,000

State Route Number 520 Civil Penalties Account—State

Appropriation $2,000

Multimodal Transportation Account—State Appropriation $10,000

Tacoma Narrows Toll Bridge Account—State Appropriation $6,000

I-405 Express Toll Lanes Operation Account—State

Appropriation $6,000

TOTAL APPROPRIATION $2,810,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the state multimodal transportation account to fund transit passes for state employees.

NEW SECTION. **Sec.**  **COMPENSATION AND BENEFITS**

Motor Vehicle Account—State Appropriation $250,000

The appropriation in this section is subject to the following conditions and limitations: Funding is provided for wage increases, insurance benefits, and pension contributions for legislative and judicial branch employees, as shown in OFM Transportation Document 19GOV001 as developed December 10, 2018.

NEW SECTION. **Sec.**  **FOR THE OFFICE OF FINANCIAL MANAGEMENT—PUBLIC EMPLOYEES' AND RETIREES' INSURANCE ACCOUNT**

Aeronautics Account—State Appropriation $2,000

State Patrol Highway Account—State Appropriation $128,000

Motorcycle Safety Education Account—State Appropriation $2,000

Highway Safety Account—State Appropriation $348,000

Motor Vehicle Account—State Appropriation $594,000

Puget Sound Ferry Operations Account—State Appropriation $174,000

Ignition Interlock Device Revolving Account—State

Appropriation $2,000

State Route Number 520 Corridor Account—State

Appropriation $4,000

Multimodal Transportation Account—State Appropriation $2,000

Tacoma Narrows Toll Bridge Account—State Appropriation $2,000

Alaskan Way Viaduct Replacement Project Account—State

Appropriation $6,000

TOTAL APPROPRIATION $1,264,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the public employees' and retirees' insurance account, to provide health flexible spending accounts for certain state employees under that collective bargaining agreements as specified in sections 503 through 520 of this act.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation:

For motor vehicle fuel tax refunds and

transfers $224,890,000

NEW SECTION. **Sec.**  The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION**

Multimodal Transportation Account—State Appropriation $13,000,000

The appropriation in this section is subject to the following conditions and limitations: $13,000,000 of the multimodal transportation account—state appropriation is provided for the agency to implement practical solutions projects to improve mobility in a variety of ways. Specific activities funded may include: Bicycle and pedestrian projects to enhance connectivity, traffic operations solutions to manage traffic flow, and traffic demand management projects to maximize efficiency on existing corridors by working with local partners. The department shall provide an update on project outcomes and efficiencies achieved in the Gray Notebook.

**COMPENSATION**

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED**

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENTS**

Sections 503 through 520 of this act represent the results of the 2019-2021 collective bargaining process required under chapters 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 503 through 520 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 503 through 520 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, a restructure of the pay schedule and increased vacation leave.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for an increase in the drug and alcohol sampling certification and a new scheduling committee with two employee representatives.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a nine percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for an increase in the shift premium rate.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

An agreement has been reached between the governor and the Puget Sound metal trades council pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2019, and a four percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded three and one-half percent general wage increase effective July 1, 2019, and a three and one-half percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for related watch turnover rate increases tied to salary increases and reimbursement for safety-toed work boots.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers through an interest arbitration award pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for the awarded three and one-half percent general wage increase effective July 1, 2019, and a three and one-half percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for related watch turnover rate increases tied to salary increases and reimbursement for safety-toed work boots.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS**

An agreement has been reached between the governor and the marine engineers' beneficial association port engineers pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for an initial salary structure and for a one percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for payment of a daily rate when required to be on duty outside normal working hours, a minimum pay for call outs, and reimbursement for safety shoes.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

An agreement has been reached between the governor and the masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and three percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

An agreement has been reached between the governor and the masters, mates, and pilots - masters pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and three percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER SUPERVISORS**

An agreement has been reached between the governor and the masters, mates, and pilots - watch center supervisors pursuant to chapter 47.64 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and two percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for call back and an increase in relief pay.

NEW SECTION. **Sec.**  **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

An agreement has been reached between the governor and the inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW through an interest arbitration award for the 2019-2021 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2019, a three percent general wage increase effective July 1, 2020, and a two percent general wage increase effective January 1, 2021. The agreement also includes and funding is provided for salary adjustments for targeted job classifications in the shoregang series, increased holiday pay and increased premium pay for use of selected power tools.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—WFSE**

An agreement has been reached between the governor and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17**

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and premium pay for employees who work in King county.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—WPEA**

An agreement has been reached between the governor and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2019-2021 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, and establishment of a new information technology professional compensation structure.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

An agreement has been reached for the 2019-2021 biennium between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2019-21 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2019, and a three percent general wage increase effective July 1, 2020. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, premium pay for employees who work in King county, loan repayments for eligible physicians and psychiatrists, and recruitment incentives for psychiatrists.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for the 2019-2021 fiscal biennium. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two and one-half of one percent general wage increase effective July 1, 2020.

NEW SECTION. **Sec.**  **COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE BENEFITS**

An agreement was reached for the 2019-2021 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2019-2021 collective bargaining agreement, including health flexible spending accounts for eligible employees under the agreement, and are subject to the following conditions and limitations:

The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed nine hundred seventy-seven dollars per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate shall not exceed nine hundred seventy-eight dollars per eligible employee.

NEW SECTION. **Sec.**  **COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for represented employees outside the coalition for health benefits, and are subject to the following conditions and limitations: The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed nine hundred seventy-seven dollars per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate may not exceed nine hundred seventy-eight dollars per eligible employee.

NEW SECTION. **Sec.**  **COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

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

(1) The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed nine hundred seventy-seven dollars per eligible employee for fiscal year 2020. For fiscal year 2021, the monthly employer funding rate shall not exceed nine hundred seventy-eight dollars per eligible employee. These rates assume the use of plan reserves in amounts equivalent to an additional eighteen dollars per eligible employee in fiscal year 2020 (for an effective funding rate of nine hundred ninety-five dollars per eligible employee), and an additional seventy-six dollars per eligible employee in fiscal year 2021 (for an effective funding rate of one thousand fifty-four dollars per eligible employee). These rates include up to sixty-three dollars per eligible employee in fiscal year 2020, and seventy-six dollars per eligible employee in fiscal year 2021, to support the retiree insurance subsidies.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2020 and 2021, the subsidy shall be up to one hundred sixty-eight dollars per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized by the legislature in this subsection.

NEW SECTION. **Sec.**  **GENERAL WAGE INCREASES**

(1) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a three percent general wage increase effective July 1, 2019, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2019, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a three percent general wage increase effective July 1, 2020, for all classified employees as specified in subsection (1) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2020, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

NEW SECTION. **Sec.**  **TARGETED COMPENSATION INCREASES**

Funding is provided for salary adjustments for targeted job classifications as specified by the office of financial management for classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475.

NEW SECTION. **Sec.**  **MINIMUM STARTING WAGE**

Funding is also provided for a minimum starting wage of fourteen dollars an hour, effective July 1, 2019, and for increases in wages of job classes that are aligned with affected job classes, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. This funding is sufficient for general government agencies and higher education institutions to comply with the provisions of Initiative Measure No. 1433 with respect to state employees.

NEW SECTION. **Sec.**  **PREMIUM PAY**

Funding is also provided for a five percent premium pay for employees working in King county, except those represented under chapters 41.80 and 47.64 RCW, and RCW 41.56.473 and 41.56.475.

NEW SECTION. **Sec.**  **COMPENSATION—REVISE PENSION CONTRIBUTION RATES**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. **Sec.**  **COMPENSATION—PENSION CONTRIBUTIONS**

Appropriations to state agencies include funding for an increase in pension contribution rates for several state pension systems. An increase of fourteen one-hundredths of one-percent is funded for state employer contributions to the public employees' and public safety employees' retirement systems. An increase of thirty-two one-hundredths of one percent for school employer contributions to the teachers' retirement system and an increase of fourteen one-hundredths of one percent for employer contributions to the school employees' retirement system are funded. These increases are provided for the purpose of a one-time, ongoing pension increase for retirees in the public employees' retirement system plan 1 and teachers' retirement system plan 1.

**IMPLEMENTING PROVISIONS**

NEW SECTION. **Sec.**  **FUND TRANSFERS**

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the OFM Transportation Document 19GOV001 as developed December 10, 2018, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the OFM transportation document referenced in this subsection. For the 2019-2021 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

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

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

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2019 supplemental omnibus transportation appropriations act, any unexpended 2017-2019 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(h) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount does not exceed two hundred fifty thousand dollars or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the OFM transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

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

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

NEW SECTION. **Sec.**  To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec.**  **BELATED CLAIMS**

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION**

(1) As part of its 2020 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2017-2019 fiscal biennium into the 2019-2021 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2015 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2019-2021 fiscal biennium into budgeting systems.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION—WEB SITE REPORTING REQUIREMENTS**

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2019-2021 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. **Sec.**  (1) By November 15, 2017, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in OFM Transportation Document 19GOV001 as developed December 10, 2018. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

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

NEW SECTION. **Sec.**  **PROJECT SCOPE CHANGES**

(1) The legislature finds that in the course of efficiently delivering connecting Washington projects, it is necessary to create a process for the department of transportation to request and receive approval of practical design-related project scope changes while the legislature is not in session. During the 2019-2021 fiscal biennium, the director of the office of financial management may approve project scope change requests to connecting Washington projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than ten days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF TRANSPORTATION**

The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

**MISCELLANEOUS**

NEW SECTION. **Sec.**  **INFORMATION TECHNOLOGY PROJECTS**

(1) Agencies must apply to the office of the state chief information officer for approval before beginning a project or proceeding with each discreet phase of a project subject to this section. At each stage, except for project onset, the office of the state chief information officer must certify that the project has an approved technology budget and investment plan, complies with state information technology and security requirements, and other policies defined by the office of the state chief information officer.

(2) Agencies may apply to the office of financial management to receive funding for the next stage of their project. Allocations and allotments must be made for discrete stages of projects as determined by the technology budget approved by the office of the state chief information officer and office of financial management.

(3) Each agency shall provide the office of the state chief information officer unique financial coding to include at least expenditure authority index, program index, and subobject detail. Each agency shall ensure the project financial budget and expenditures can be tracked by subprojects, gates, deliverables, and other necessary financial data as approved and required by the office of financial management. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out.

(4) The office of the state chief information officer shall report on the dashboard each fiscal month the financial status of information technology projects under oversight.

(5) For certification purposes, each agency shall submit to the office of the state chief information officer and office of financial management:

(a) A technology budget that reflects project budget and costs by fiscal month to include all funding sources used, anticipated deliverables for each stage of the project and subproject, if applicable, and across fiscal periods from project initiation through implementation. Projects with estimated costs greater than one hundred million dollars from initiation to implementation and close out shall be split into subprojects as determined by the office of the state chief information officer with individual technology budgets made available for each subproject. The dashboard will retain a roll up of the entire project, and will also have the subproject detail available. If the project affects more than one agency, a separate technology budget must be prepared for each agency. If the project does impact more than one agency, a statewide project technology budget rollup with each impacted agency will be compiled and added to the dashboard.

(b) An investment plan that includes:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;

(ii) The office of the state chief information officer staff assigned to the project;

(iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out; and

(vi) Financial budget coding to include at least discreet program index and subobject codes.

(6) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer must review, and if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(c) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and

(e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(7) The office of the state chief information officer must evaluate the project at each stage and certify whether the project is planned, managed and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(8) The office of the state chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management.

(9) The office of the state chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget.

NEW SECTION. **Sec.**  **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

(1) The department of transportation is authorized to enter into a financing contract pursuant to chapter 39.94 RCW through the state treasurer's lease-purchase program for the purposes indicated. The department may use any funds, appropriated or nonappropriated, in not more than the principal amounts indicated, plus financing expenses and required reserves, if any. Expenditures made by the department of transportation for the indicated purposes before the issue date of the authorized financing contract and any certificates of participation therein may be reimbursed from proceeds of the financing contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Department of transportation: Enter into a financing contract for up to $32,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the existing office building at 15700 Dayton Ave N, Shoreline.

**Sec.**  RCW 43.19.642 and 2017 c 313 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel‑powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the 2015-2017 ((~~and~~)), 2017-2019, and 2019-2021 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

**Sec.**  RCW 46.20.745 and 2017 c 313 s 704 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the 2017-2019 and 2019-2021 fiscal ((~~biennium~~)) biennia, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

**Sec.**  RCW 46.68.060 and 2017 c 313 s 707 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account. During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the state patrol highway account.

**Sec.**  RCW 46.68.280 and 2017 c 313 s 708 are each amended to read as follows:

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

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

(3) During the 2017-2019 and 2019-2021 fiscal ((~~biennium~~)) biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account.

(4) The "nickel account" means the transportation 2003 account.

**Sec.**  RCW 46.68.325 and 2017 c 313 s 710 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 and 2019-2021 fiscal ((~~biennium~~)) biennia, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

**Sec.**  RCW 47.56.403 and 2017 c 313 s 712 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

(a) Freeway efficiency and safety;

(b) Effectiveness for transit;

(c) Person and vehicle movements by mode;

(d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, ((~~2019~~)) 2021.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with \*chapter 39.29 RCW.

**Sec.**  RCW 47.56.876 and 2017 c 313 s 713 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 and 2019-2021 fiscal ((~~biennium~~)) biennia, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account.

**Sec.**  RCW 81.53.281 and 2017 c 313 s 715 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 ((~~and~~)), 2017-2019, and 2019-2021 fiscal biennia, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address underprotected grade crossings as identified by the commission.

**Sec.**  RCW 47.10.861 and 2007 c 519 s 3 are each amended to read as follows:

In order to provide funds necessary for the location, design, right-of-way, and construction of selected projects or improvements that are identified as transportation 2003 projects or improvements in the omnibus transportation budget including, during the 2019-2021 biennium, highway projects or improvements identified in this act, there shall be issued and sold upon the request of the secretary of the department of transportation a total of three billion two hundred million dollars of general obligation bonds of the state of Washington.

**Sec.**  RCW 46.68.370 and 2013 c 306 s 713 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety account ((~~[fund]~~)) fund such amounts as reflect the excess fund balance of the license plate technology account. During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the license plate technology account to the highway safety fund.

**MISCELLANEOUS**

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

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

**--- END ---**