

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2322

Chapter 219, Laws of 2020
(partial veto)

66th Legislature
2020 Regular Session

TRANSPORTATION BUDGET--SUPPLEMENTAL

EFFECTIVE DATE: March 31, 2020

Passed by the House March 11, 2020
Yeas 96 Nays 1

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 11, 2020
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Approved March 31, 2020 10:41 AM with
the exception of sections 220(16);
301(3); 302, page 70, lines 33-37 and
page 71, lines 1-2; 303(2); 305(35);
307(2); 308(11); 309(17); 310(26);
207(15); 208(22); 208(23); 208(24);
208(25); 208(27); and 208(35), which
are vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the
House of Representatives of the
State of Washington, do hereby
certify that the attached is
**ENGROSSED SUBSTITUTE HOUSE BILL
2322** as passed by the House of
Representatives and the Senate on
the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 31, 2020

**Secretary of State
State of Washington**

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$300,000 of the multimodal transportation
4 account—state appropriation is provided solely for the office of
5 financial management, in direct coordination with the office of state
6 treasurer, to evaluate, coordinate, and assist in efforts by state
7 agencies in developing cost recovery mechanisms for credit card and
8 other financial transaction fees currently paid from state funds.
9 This may include disbursing interagency reimbursements for the
10 implementation costs incurred by the affected agencies. As part of
11 the first phase of this effort, the office of financial management,
12 with the assistance of relevant agencies, must develop implementation
13 plans and take all necessary steps to ensure that the actual cost-
14 recovery mechanisms will be in place by January 1, 2020, for the
15 vehicles and drivers programs of the department of licensing. By
16 November 1, 2019, the office of financial management must provide a
17 report to the joint transportation committee on the phase 1
18 implementation plan and options to expand similar cost recovery
19 mechanisms to other state agencies and programs, including the
20 ferries division.

21 **Sec. 102.** 2019 c 416 s 105 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF AGRICULTURE**

24 Motor Vehicle Account—State Appropriation (~~(\$1,357,000)~~)
25 \$1,359,000

26 **Sec. 103.** 2019 c 416 s 108 (uncodified) is amended to read as
27 follows:

28 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

29 Pilotage Account—State Appropriation (~~(\$5,228,000)~~)
30 \$6,040,000

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

- 33 (1) \$3,125,000 of the pilotage account—state appropriation is
34 provided solely for self-insurance liability premium expenditures;
35 however, this appropriation is contingent upon the board:

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

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

7 (2) The board of pilotage commissioners shall file the annual
8 report to the governor and chairs of the transportation committees
9 required under RCW 88.16.035(1)(f) by September 1, 2019, and annually
10 thereafter. The report must include the continuation of policies and
11 procedures necessary to increase the diversity of pilots, trainees,
12 and applicants, including a diversity action plan. The diversity
13 action plan must articulate a comprehensive vision of the board's
14 diversity goals and the steps it will take to reach those goals.

15 **Sec. 104.** 2019 c 416 s 109 (uncodified) is amended to read as
16 follows:

17 **FOR THE HOUSE OF REPRESENTATIVES**

18 Motor Vehicle Account—State Appropriation (~~(\$2,861,000)~~)
19 \$3,082,000

20 **Sec. 105.** 2019 c 416 s 110 (uncodified) is amended to read as
21 follows:

22 **FOR THE SENATE**

23 Motor Vehicle Account—State Appropriation (~~(\$2,998,000)~~)
24 \$2,999,000

25 NEW SECTION. **Sec. 106.** A new section is added to 2019 c 416
26 (uncodified) to read as follows:

27 **FOR THE UNIVERSITY OF WASHINGTON**

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

29 The appropriation in this section is subject to the following
30 conditions and limitations: \$250,000 of the motor vehicle account—
31 state appropriation is provided solely for the University of
32 Washington, Foster School of Business' Consulting and Business
33 Development Center to conduct an analysis of workforce development
34 needs of the Washington state ferries. Plan development should
35 consider the findings from the 2019 Washington state ferries overtime
36 report, including data trend analysis and insight gathered from

1 discussions with Washington state ferries staff and unions. The
2 report of the study findings and recommendations is due to the
3 transportation committees of the legislature by January 11, 2021. The
4 study must include, but is not limited to, the following:

5 (1) A description of the current workforce, including demographic
6 composition, use of relief and temporary employees, and the numbers
7 of management and supervisory staff compared to line workers;

8 (2) An analysis of vacancies by job class and collective
9 bargaining unit, the causes of vacancies, and projections of how
10 these dynamics may change going forward;

11 (3) An analysis of current strategies for filling vacancies,
12 including the use of overtime, relief staff, on-call staff, hiring of
13 additional or new employees, and a comparison of these strategies to
14 determine which may be more cost-effective;

15 (4) An inventory of mandatory training and certification
16 requirements as compared to training provided currently to state
17 ferries employees;

18 (5) An analysis of the role of federal requirements and
19 collective bargaining agreements in determining staffing levels, as
20 well as current practices in workforce management and development;

21 (6) An analysis of barriers to implementing changes in workforce
22 management or innovative approaches to workforce development; and

23 (7) Findings and recommendations regarding recruitment methods
24 and needs, strategies on how to recruit and conduct outreach to
25 underrepresented communities throughout the state, management of
26 overtime and leave usage, ratio of management employees to line
27 employees as compared to industry and public sector standards, and
28 adequacy of training budgets to meet workforce development needs.

29 **TRANSPORTATION AGENCIES—OPERATING**

30 **Sec. 201.** 2019 c 416 s 201 (uncodified) is amended to read as
31 follows:

32 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

33 Highway Safety Account—State Appropriation	((\$4,588,000))
	<u>\$4,675,000</u>
35 Highway Safety Account—Federal Appropriation	((\$27,035,000))
	<u>\$27,051,000</u>
37 Highway Safety Account—Private/Local Appropriation	\$118,000

1 School Zone Safety Account—State Appropriation \$850,000
2 TOTAL APPROPRIATION. (~~(\$32,591,000)~~)
3 \$32,694,000

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

6 (1) \$150,000 of the highway safety account—state appropriation is
7 provided solely for the implementation of chapter 54 (~~((Substitute~~
8 ~~Senate Bill No. 5710))~~), Laws of 2019 (Cooper Jones Active
9 Transportation Safety Council). If chapter 54 (~~((Substitute Senate~~
10 ~~Bill No. 5710))~~), Laws of 2019 is not enacted by June 30, 2019, the
11 amount provided in this subsection lapses.

12 (2) The Washington traffic safety commission may oversee a pilot
13 program in up to three cities implementing the use of automated
14 vehicle noise enforcement cameras in zones that have been designated
15 by ordinance as "Stay Out of Areas of Racing."

16 (a) Any programs authorized by the commission must be authorized
17 by December 31, (~~(2019)~~) 2020.

18 (b) If a city has established an authorized automated vehicle
19 noise enforcement camera pilot program under this section, the
20 compensation paid to the manufacturer or vendor of the equipment used
21 must be based upon the value of the equipment and services provided
22 or rendered in support of the system.

23 (c) Any city administering a pilot program overseen by the
24 traffic safety commission shall use the following guidelines to
25 administer the program:

26 (i) Automated vehicle noise enforcement camera may record
27 photographs or audio of the vehicle and vehicle license plate only
28 while a violation is occurring. The picture must not reveal the face
29 of the driver or of passengers in the vehicle;

30 (ii) The law enforcement agency of the city or county government
31 shall (~~(plainly mark the locations)~~) install two signs facing
32 opposite directions within two hundred feet, or otherwise consistent
33 with the uniform manual on traffic control devices, where the
34 automated vehicle noise enforcement camera is used (~~((by placing signs~~
35 ~~on street locations that clearly indicate to a driver that he or she~~
36 ~~is entering a zone where traffic laws violations are being detected~~
37 ~~by automated vehicle noise enforcement cameras that record both audio~~
38 ~~and video))~~) that state "Street Racing Noise Pilot Program in
39 Progress";

1 (iii) Cities testing the use of automated vehicle noise
2 enforcement cameras must (~~provide periodic notice by mail to its~~
3 ~~residents~~) post information on the city web site and notify local
4 media outlets indicating the zones in which the automated vehicle
5 noise enforcement cameras will be used;

6 (iv) A city may only issue a warning notice with no penalty for a
7 violation detected by automated vehicle noise enforcement cameras in
8 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
9 the registered owner of a vehicle within fourteen days of the
10 detected violation;

11 (v) A violation detected through the use of automated vehicle
12 noise enforcement cameras is not part of the registered owner's
13 driving record under RCW 46.52.101 and 46.52.120;

14 (vi) Notwithstanding any other provision of law, all photographs,
15 videos, microphotographs, audio recordings, or electronic images
16 prepared under this section are for the exclusive use of law
17 enforcement in the discharge of duties under this section and are not
18 open to the public and may not be used in a court in a pending action
19 or proceeding. No photograph, microphotograph, audio recording, or
20 electronic image may be used for any purpose other than the issuance
21 of warnings for violations under this section or retained longer than
22 necessary to issue a warning notice as required under this subsection
23 (2); and

24 (vii) By June 30, 2021, the participating cities shall provide a
25 report to the commission and appropriate committees of the
26 legislature regarding the use, public acceptance, outcomes, warnings
27 issued, data retention and use, and other relevant issues regarding
28 automated vehicle noise enforcement cameras demonstrated by the pilot
29 projects.

30 (3) The Washington traffic safety commission may oversee a
31 demonstration project in one county, coordinating with a public
32 transportation benefit area (PTBA) and the department of
33 transportation, to test the feasibility and accuracy of the use of
34 automated enforcement technology for high occupancy vehicle (HOV)
35 lane passenger compliance. All costs associated with the
36 demonstration project must be borne by the participating public
37 transportation benefit area. Any photograph, microphotograph, or
38 electronic images of a driver or passengers are for the exclusive use
39 of the PTBA in the determination of whether an HOV passenger
40 violation has occurred to test the feasibility and accuracy of

1 automated enforcement under this subsection and are not open to the
2 public and may not be used in a court in a pending action or
3 proceeding. All photographs, microphotographs, and electronic images
4 must be destroyed after determining a passenger count and no later
5 than the completion of the demonstration project. No warnings or
6 notices of infraction may be issued under the demonstration project.

7 For purposes of the demonstration project, an automated
8 enforcement technology device may record an image of a driver and
9 passenger of a motor vehicle. The county and PTBA must erect signs
10 marking the locations where the automated enforcement for HOV
11 passenger requirements is occurring.

12 The PTBA, in consultation with the Washington traffic safety
13 commission, must provide a report to the transportation committees of
14 the legislature with the number of violations detected during the
15 demonstration project, whether the technology used was accurate and
16 any recommendations for future use of automated enforcement
17 technology for HOV lane enforcement by June 30, 2021.

18 (4) (a) The Washington traffic safety commission shall coordinate
19 with each city that implements a pilot program as authorized in
20 chapter . . . (Engrossed Substitute House Bill No. 1793), Laws of
21 2020 (automated traffic safety cameras) or chapter . . . (Substitute
22 Senate Bill No. 5789), Laws of 2020 (automated traffic safety
23 cameras) to provide the transportation committees of the legislature
24 with the following information by June 30, 2021:

25 (i) The number of warnings and infractions issued to first-time
26 violators under the pilot program;

27 (ii) The number of warnings and infractions issued to the
28 registered owners of vehicles that are not registered with an address
29 located in the city conducting the pilot program; and

30 (iii) The frequency with which warnings and infractions are
31 issued on weekdays versus weekend days.

32 (b) If neither chapter . . . (Engrossed Substitute House Bill No.
33 1793), Laws of 2020 nor chapter . . . (Substitute Senate Bill No.
34 5789), Laws of 2020 is enacted by June 30, 2020, the conditions of
35 this subsection (4) have no force and effect.

36 **Sec. 202.** 2019 c 416 s 202 (uncodified) is amended to read as
37 follows:

38 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

39 Rural Arterial Trust Account—State Appropriation \$1,137,000

1	Motor Vehicle Account—State Appropriation	((\$2,803,000))
2		<u>\$2,920,000</u>
3	County Arterial Preservation Account—State	
4	Appropriation	\$1,677,000
5	TOTAL APPROPRIATION.	((\$5,617,000))
6		<u>\$5,734,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations: \$58,000 of the motor vehicle account—
9 state appropriation is provided solely for succession planning and
10 training.

11 **Sec. 203.** 2019 c 416 s 203 (uncodified) is amended to read as
12 follows:

13 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

14	Transportation Improvement Account—State	
15	Appropriation	((\$4,526,000))
16		<u>\$3,854,000</u>

17 **Sec. 204.** 2019 c 416 s 204 (uncodified) is amended to read as
18 follows:

19 **FOR THE JOINT TRANSPORTATION COMMITTEE**

20	Motor Vehicle Account—State Appropriation	((\$1,938,000))
21		<u>\$2,187,000</u>
22	Multimodal Transportation Account—State Appropriation.	((\$750,000))
23		<u>\$917,000</u>
24	Highway Safety Account—State Appropriation.	\$275,000
25	TOTAL APPROPRIATION.	((\$2,963,000))
26		<u>\$3,379,000</u>

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

29 (1) \$400,000 of the motor vehicle account—state appropriation and
30 \$50,000 of the multimodal transportation account—state appropriation
31 is for the joint transportation committee to conduct a comprehensive
32 assessment of statewide transportation needs and priorities, and
33 existing and potential transportation funding mechanisms to address
34 those needs and priorities. The assessment must include: (a)
35 Recommendations on the critical state and local transportation
36 projects, programs, and services needed to achieve an efficient,
37 effective, statewide transportation system over the next ten years;

1 (b) a comprehensive menu of funding options for the legislature to
2 consider to address the identified transportation system investments;
3 (~~and~~) (c) recommendations on whether a revision to the statewide
4 transportation policy goals in RCW 47.04.280 is warranted in light of
5 the recommendations and options identified in (a) and (b) of this
6 subsection; and (d) an analysis of the economic impacts of a range of
7 future transportation investments. The assessment must be submitted
8 to the transportation committees of the legislature by June 30, 2020.
9 Starting July 1, 2020, and concluding by December 31, 2020, a
10 committee-appointed commission or panel shall review the assessment
11 and make final recommendations to the legislature for consideration
12 during the 2021 legislative session on a realistic, achievable plan
13 for funding transportation programs, projects, and services over the
14 next ten years including a timeline for legislative action on funding
15 the identified transportation system needs shortfall.

16 (2) (a) (~~(\$450,000)~~) \$382,000 of the multimodal transportation
17 account—state appropriation is for the joint transportation committee
18 to conduct an analysis of the electrification of public fleets in
19 Washington state. The study must include the following:

20 (i) An inventory of existing public fleets for the state of
21 Washington, counties, a sampling of cities, and public transit
22 agencies. The inventory must differentiate among battery and fuel
23 cell electric vehicles, hybrid vehicles, gasoline powered vehicles,
24 and any other functional categories. Three cities from each of the
25 following population ranges must be selected for the analysis:

26 (A) Population up to and including twenty-five thousand;

27 (B) Population greater than twenty-five thousand and up to and
28 including fifty thousand;

29 (C) Population greater than fifty thousand and up to and
30 including one hundred thousand;

31 (D) Population greater than one hundred thousand;

32 (ii) A review of currently available battery and fuel cell
33 electric vehicle alternatives to the vehicle types most commonly used
34 by the state, counties, cities, and public transit agencies. The
35 review must include:

36 (A) The average vehicle cost differential among the commercially
37 available fuel options;

38 (B) A cost benefit analysis of the conversion of different
39 vehicle classes; and

1 (C) Recommendations for the types of vehicles that should be
2 excluded from consideration due to insufficient alternatives,
3 unreliable technology, or excessive cost;

4 (iii) The projected costs of achieving substantial conversion to
5 battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for
6 the state, counties, cities, and public transit agencies. This cost
7 estimate must include:

8 (A) Vehicle acquisition costs, charging and refueling
9 infrastructure costs, and other associated costs;

10 (B) Financial constraints of each type of entity to transition to
11 an electric vehicle fleet; and

12 (C) Any other identified barriers to transitioning to a battery
13 and/or fuel cell electric vehicle fleet;

14 (iv) Identification and analysis of financing mechanisms that
15 could be used to finance the transition of publicly owned vehicles to
16 battery and fuel cell electric vehicles. These mechanisms include,
17 but are not limited to: Energy or carbon savings performance
18 contracting, utility grants and rebates, revolving loan funds, state
19 grant programs, private third-party financing, fleet management
20 services, leasing, vehicle use optimization, and vehicle to grid
21 technology; and

22 (v) The predicted number and location profile of electric vehicle
23 fueling stations needed statewide to provide fueling for the fleets
24 of the state, counties, cities, and public transit agencies.

25 (b) In developing and implementing the study, the joint
26 transportation committee must solicit input from representatives of
27 the department of enterprise services, the department of
28 transportation, the department of licensing, the department of
29 commerce, the Washington state association of counties, the
30 association of Washington cities, the Washington state transit
31 association, transit agencies, and others as deemed appropriate.

32 (c) The joint transportation committee must issue a report of its
33 findings and recommendations to the transportation committees of the
34 legislature by September 30, 2020.

35 (3) (a) \$250,000 of the multimodal transportation account—state
36 appropriation is for the joint transportation committee to conduct a
37 study of the feasibility of an east-west intercity passenger rail
38 system. The study must include the following elements:

39 (i) Projections of potential ridership;

40 (ii) Review of relevant planning studies;

1 (iii) Establishment of an advisory group and associated meetings;
2 (iv) Development of a Stampede Pass corridor alignment to
3 maximize ridership, revenue, and rationale, considering service to
4 population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg,
5 Toppenish, and Spokane;
6 (v) Assessment of current infrastructure conditions, including
7 station stop locations;
8 (vi) Identification of equipment needs; and
9 (vii) Identification of operator options.
10 (b) A report of the study findings and recommendations is due to
11 the transportation committees of the legislature by June 30, 2020.
12 (4) (a) \$275,000 of the highway safety fund—state appropriation is
13 for a study of vehicle subagents in Washington state. The study must
14 consider and include recommendations, as necessary, on the following:
15 (i) The relevant statutes, rules, and/or regulations authorizing
16 vehicle subagents and any changes made to the relevant statutes,
17 rules, and/or regulations;
18 (ii) The current process of selecting and authorizing a vehicle
19 subagent, including the change of ownership process and the
20 identification of any barriers to entry into the vehicle subagent
21 market;
22 (iii) The annual business expenditures borne by each of the
23 vehicle subagent businesses since fiscal year 2010 and identification
24 of any materials, including office equipment and supplies, provided
25 by the department of licensing to each vehicle subagent since fiscal
26 year 2010. To accomplish this task, each vehicle subagent must
27 provide expenditure data to the joint transportation committee for
28 the purposes of this study;
29 (iv) The oversight provided by the county auditors and/or the
30 department of licensing over the vehicle subagent businesses;
31 (v) The history of service fees, how increases to the service fee
32 rate are made, and how the requested fee increase is determined;
33 (vi) The online vehicle registration renewal process and any
34 potential improvements to the online process;
35 (vii) The department of licensing's ability to provide more
36 vehicle licensing services directly, particularly taking into account
37 the increase in online vehicle renewal transactions;
38 (viii) The potential expansion of services that can be performed
39 by vehicle subagents; and

1 (ix) The process by which the geographic locations of vehicle
2 subagents are determined.

3 (b) In conducting the study, the joint transportation committee
4 must consult with the department of licensing, a representative of
5 county auditors, and a representative of vehicle subagents.

6 (c) The joint transportation committee may collect any data from
7 the department of licensing, county auditors, and vehicle subagents
8 that is necessary to conduct the study.

9 (d) The joint transportation committee must issue a report of
10 its findings and recommendations to the transportation committees of
11 the legislature by September 30, 2020.

12 (5) (a) \$235,000 of the multimodal transportation account—state
13 appropriation is for the joint transportation committee to oversee a
14 consultant study on rail safety governance best practices, by class
15 of rail where applicable, and recommendations for the implementation
16 of these best practices in Washington state. The study must assess
17 rail safety governance for passenger and freight rail, including rail
18 transit services, and must consider recommendations made by the
19 national transportation safety board in its 2017 Amtrak passenger
20 train 501 derailment accident report that are relevant to rail safety
21 governance.

22 (b) The study must include the following components:

23 (i) (A) An assessment of rail safety oversight in Washington state
24 that includes: (I) The rail safety oversight roles of federal, state,
25 regional, and local agencies, including the extent to which federal
26 and state laws govern these roles and the extent to which these roles
27 would be modified should the suspended federal rules in 49 C.F.R.
28 Part 270 take effect; (II) federal, state, regional, and local agency
29 organizational structures and processes utilized to conduct rail
30 safety oversight; and (III) coordination activities by federal,
31 state, regional, and local agencies in conducting rail safety
32 oversight;

33 (B) An examination of rail safety governance best practices by
34 other states for the items identified in (a) of this subsection; and

35 (C) Recommendations for the implementation of best practices for
36 rail safety governance in Washington state.

37 (ii) The study must address the extent to which additional safety
38 oversight of rail project design and construction is used in other
39 states and would be a recommended best practice for Washington state.

1 (c) The joint transportation committee shall consult with the
2 Washington state department of transportation, the Washington state
3 utilities and transportation commission, sound transit, the national
4 transportation safety board, Amtrak, the federal railroad
5 administration, BNSF railway company, one or more representatives of
6 short line railroads, one or more representatives of labor, and other
7 entities with rail safety expertise as necessary.

8 (d) The joint transportation committee must issue a report of its
9 findings and recommendations on rail safety governance to the
10 transportation committees of the legislature by January 6, 2021.

11 (6) (a) \$250,000 of the motor vehicle account—state appropriation
12 is for the joint transportation committee to conduct a study of the
13 feasibility of a private auto ferry between the state of Washington
14 and British Columbia, Canada. The study must include the following
15 elements:

16 (i) Expected impacts to ridership, revenue, and expenditures for
17 Washington state ferries;

18 (ii) Expected impacts to ferry service provided to the San Juan
19 Islands;

20 (iii) Possible terminal locations on Fidalgo Island;

21 (iv) Economic impacts to the Anacortes area if ferry service
22 between the area and Vancouver Island ceases;

23 (v) Economic impacts to the San Juan Islands if ferry service or
24 ferry tourism is reduced;

25 (vi) Expected impacts to family wage jobs in the marine industry
26 for Washingtonians;

27 (vii) Expected impacts to ferry fares between the state of
28 Washington and British Columbia, Canada;

29 (viii) Legal analysis of all state, federal, or Canadian laws or
30 rules, including the Jones act and rules of the board of pilotage
31 commissioners, that may apply to initiation of private service or
32 cessation of state service; and

33 (ix) Options for encouraging private auto ferry service between
34 the state of Washington and Vancouver Island, Canada.

35 (b) In conducting the study, the joint transportation committee
36 must consult with the department of transportation, a representative
37 of San Juan county, a representative of the city of Anacortes, a
38 representative of the inland boatman's union, a representative of
39 Puget Sound pilots, a representative of the port of Anacortes, a

1 representative of the economic development alliance of Skagit county,
2 and interested private ferry operators in Washington state.

3 (c) A report of the study findings and options is due to the
4 transportation committees of the legislature by February 15, 2021.

5 **Sec. 205.** 2019 c 416 s 205 (uncodified) is amended to read as
6 follows:

7 **FOR THE TRANSPORTATION COMMISSION**

8	Motor Vehicle Account—State Appropriation	((\$2,893,000))
9		<u>\$2,324,000</u>
10	((Multimodal Transportation Account—State Appropriation	\$112,000))
11	Interstate 405 <u>and state Route Number 167 Express Toll Lanes</u>	
12	((Operations))	
13	Account—State Appropriation.	((\$250,000))
14		<u>\$410,000</u>
15	<u>State Route Number 520 Corridor Account—State</u>	
16	<u>Appropriation.</u>	<u>\$271,000</u>
17	<u>Tacoma Narrows Toll Bridge Account—State</u>	
18	<u>Appropriation.</u>	<u>\$158,000</u>
19	<u>Alaskan Way Viaduct Replacement Project</u>	
20	<u>Account—State Appropriation.</u>	<u>\$136,000</u>
21	TOTAL APPROPRIATION.	((\$3,255,000))
22		<u>\$3,299,000</u>

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

25 (1)(a) The commission shall reconvene the road usage charge
26 steering committee, with the same membership described in chapter
27 297, Laws of 2018, and shall report at least once every three months
28 to the steering committee with updates on report development for the
29 completed road usage charge pilot project until the final report is
30 submitted. The commission shall also report to the steering committee
31 on any other activities undertaken in accordance with this subsection
32 (1) as necessary to keep it apprised of new developments and to
33 obtain input on its efforts. The final report on the road usage
34 charge pilot project is due to the transportation committees of the
35 legislature by January 1, 2020, and should include recommendations
36 for necessary next steps to consider impacts to communities of color,
37 low-income households, vulnerable populations, and displaced
38 communities. Any legislative vacancies on the steering committee must

1 be appointed by the speaker of the house of representatives for a
2 house of representatives member vacancy, and by the president of the
3 senate for a senate member vacancy.

4 (b) (i) The commission shall coordinate with the department of
5 transportation to jointly seek federal funds available through the
6 federal surface transportation system funding alternatives grant
7 program, applying toll credits for meeting match requirements. One or
8 more grant applications ~~((may))~~ shall be developed that ~~((, at a~~
9 ~~minimum,))~~ propose to:

10 ~~((i)) (A) ((Update the recommended road usage charge operational~~
11 ~~concepts and business case presented to the road usage charge~~
12 ~~steering committee to reflect a range of scenarios regarding fleet~~
13 ~~electrification and use of shared vehicles. The operational concepts~~
14 ~~must include technological or system features necessary to ensure~~
15 ~~collection of the road usage charge from electric vehicles and fleets~~
16 ~~of shared and/or autonomous vehicles, if applicable. The business~~
17 ~~case must assess a range of gross revenue impacts to a road usage~~
18 ~~charge and fuel taxes resulting from changes to total vehicle miles~~
19 ~~traveled under scenarios with varying degrees of shared, autonomous,~~
20 ~~and/or electric vehicle adoption rates;~~

21 ~~(B) Develop a detailed plan for phasing in the implementation of~~
22 ~~road usage charges for vehicles operated in Washington, incorporating~~
23 ~~any updates to road usage charge policy recommendations made in (a)~~
24 ~~and (b) (i) (A) of this subsection and including consideration of~~
25 ~~methods for reducing the cost of collections for a road usage charge~~
26 ~~system in Washington state; and~~

27 ~~(C) Examine the allocation of current gas tax revenues and~~
28 ~~possible frameworks for the allocation of road usage charge revenues~~
29 ~~that could be used to evaluate policy choices once road usage charge~~
30 ~~revenues comprise a significant share of state revenues for~~
31 ~~transportation purposes.)) Create a framework for modeling the~~
32 ~~effects of a road usage charge on passenger and light-duty vehicles~~
33 ~~including, but not limited to, plug-in electric vehicles, autonomous~~
34 ~~vehicles, state fleets, and transportation network companies on a~~
35 ~~road usage charge system;~~

36 (B) Identify and measure potential disparate impacts of a road
37 usage charge on designated populations, including communities of
38 color, low-income households, vulnerable populations, and displaced
39 communities;

1 (C) Incorporate emerging approaches to mileage reporting, such as
2 in-vehicle telematics, improved smartphone apps, and use of private
3 businesses to provide odometer verification and mileage reporting
4 services, into a road usage charge system;

5 (D) Conduct a series of facilitated work sessions with other
6 states and private sector firms to identify opportunities to reduce
7 the cost of collections for a road usage charge;

8 (E) Develop a road usage charge phase-in plan that incorporates
9 findings from (b) (i) (A) through (D) of this subsection;

10 (F) Carry out a limited scale demonstration to test new mileage
11 reporting methods; equity policies; cost reduction techniques; and
12 collecting a road usage charge from passenger and light-duty vehicles
13 including, but not limited to, plug-in electric vehicles, autonomous
14 vehicles, state fleets, transportation network companies, and other
15 new mobility services; and

16 (G) Produce a final report with recommendations and a recommended
17 roadmap that details how a road usage charge could be appropriately
18 scaled to fit state circumstances and that includes a framework for
19 evaluating policy choices related to the use of road usage charge
20 revenue.

21 (ii) A year-end report on the status of any federally-funded
22 project for which federal funding is secured must be provided to the
23 governor's office and the transportation committees of the
24 legislature by January 1, 2020, and by January 1, 2021.

25 (c) \$150,000 of the motor vehicle account—state appropriation is
26 provided solely for analysis of potential impacts of a road usage
27 charge on communities of color, low-income households, vulnerable
28 populations, and displaced communities. The analysis must include an
29 assessment of potential mitigation measures to address these
30 potential impacts. These funds must be held in unallotted status
31 during the 2019-2021 fiscal biennium, and may only be used after the
32 commission has provided notice to the office of financial management
33 that it has exhausted all efforts to secure federal funds from the
34 federal surface transportation system funding alternatives grant
35 program under (b) of this subsection without successfully securing
36 federal funding for the further study of a road usage charge. A year-
37 end update on the status of this effort, if undertaken prior to the
38 end of calendar year 2020, must be provided to the governor's office
39 and the transportation committees of the legislature by January 1,
40 2021.

1 (2) (a) \$250,000 of the Interstate 405 and state route number 167
2 express toll lanes ((operations)) account—state appropriation is
3 provided solely for the transportation commission to conduct a study,
4 applicable to the Interstate 405 express toll lanes, of discounted
5 tolls and other similar programs for low-income drivers that are
6 provided by other states, countries, or other entities and how such a
7 program could be implemented in the state of Washington. The
8 transportation commission may contract with a consultant to conduct
9 all or a portion of this study.

10 (b) In conducting this study, the transportation commission shall
11 consult with both the department of transportation and the department
12 of social and health services.

13 (c) The transportation commission shall, at a minimum, consider
14 the following issues when conducting the study of discounted tolls
15 and other similar programs for low-income drivers:

16 (i) The benefits, requirements, and any potential detriments to
17 the users of a program;

18 (ii) The most cost-effective way to implement a program given
19 existing financial commitments, shared cost requirements across
20 facilities, and technical requirements to execute and maintain a
21 program;

22 (iii) The implications of a program for tolling policies,
23 revenues, costs, operations, and enforcement; and

24 (iv) Any implications to tolled facilities based on the type of
25 tolling implemented on a particular facility.

26 (d) The transportation commission shall provide a report
27 detailing the findings of this study and recommendations for
28 implementing a discounted toll or other appropriate program in the
29 state of Washington to the transportation committees of the
30 legislature by June 30, 2021.

31 (3) \$160,000 of the Interstate 405 and state route number 167
32 express toll lanes account—state appropriation, \$271,000 of the state
33 route number 520 corridor account—state appropriation, \$158,000 of
34 the Tacoma Narrows toll bridge account—state appropriation, and
35 \$136,000 of the Alaskan Way viaduct replacement project account—state
36 appropriation are provided solely for the transportation commission's
37 proportional share of time spent supporting tolling operations for
38 the respective tolling facilities.

1 department of transportation or other state agencies may use state
2 patrol vehicles for the purpose of that employment, subject to
3 guidelines adopted by the chief of the Washington state patrol. The
4 Washington state patrol must be reimbursed for the use of the vehicle
5 at the prevailing state employee rate for mileage and hours of usage,
6 subject to guidelines developed by the chief of the Washington state
7 patrol.

8 (2) \$510,000 of the ignition interlock device revolving account—
9 state appropriation is provided solely for the ignition interlock
10 program at the Washington state patrol to provide funding for two
11 staff to work and provide support for the program in working with
12 manufacturers, service centers, technicians, and participants in the
13 program.

14 (3) \$1,424,000 of the state patrol highway account—state
15 appropriation is provided solely to enter into an agreement for
16 upgraded land mobile software, hardware, and equipment.

17 (4) \$2,582,000 of the state patrol highway account—state
18 appropriation is provided solely for the replacement of radios and
19 other related equipment.

20 (5) \$343,000 of the state patrol highway account—state
21 appropriation is provided solely for aerial criminal investigation
22 tools, including software licensing and maintenance, and annual
23 certification.

24 (6) (~~(\$514,000)~~) \$2,342,000 of the state patrol highway account—
25 state appropriation is provided solely (~~for additional staff~~) to
26 address the increase in the number of toxicology cases from impaired
27 driving and death investigations.

28 (7) \$580,000 of the state patrol highway account—state
29 appropriation is provided solely for the operation of and
30 administrative support to the license investigation unit to enforce
31 vehicle registration laws in southwestern Washington. The Washington
32 state patrol, in consultation with the department of revenue, shall
33 maintain a running estimate of the additional vehicle registration
34 fees, sales and use taxes, and local vehicle fees remitted to the
35 state pursuant to activity conducted by the license investigation
36 unit. Beginning October 1, 2019, and quarterly thereafter, the
37 Washington state patrol shall submit a report detailing the
38 additional revenue amounts generated since July 1, 2017, to the
39 director of the office of financial management and the transportation

1 committees of the legislature. At the end of the calendar quarter in
2 which it is estimated that more than \$625,000 in state sales and use
3 taxes have been remitted to the state since July 1, 2017, the
4 Washington state patrol shall notify the state treasurer and the
5 state treasurer shall transfer funds pursuant to section 406 (~~of~~
6 ~~this act~~), chapter 416, Laws of 2019.

7 (8) \$18,000 of the state patrol highway account—state
8 appropriation is provided solely for the license investigation unit
9 to procure an additional license plate reader and related costs.

10 (9) The Washington state patrol and the office of financial
11 management must be consulted by the department of transportation
12 during the design phase of any improvement or preservation project
13 that could impact Washington state patrol weigh station operations.
14 During the design phase of any such project, the department of
15 transportation must estimate the cost of designing around the
16 affected weigh station's current operations, as well as the cost of
17 moving the affected weigh station.

18 (10) \$4,210,000 of the state patrol highway account—state
19 appropriation is provided solely for a third arming and a third
20 trooper basic training class. The cadet class is expected to graduate
21 in June 2021.

22 (11) \$65,000 of the state patrol highway account—state
23 appropriation is provided solely for the implementation of chapter
24 440 (~~(Engrossed Second Substitute Senate Bill No. 5497)~~), Laws of
25 2019 (immigrants in the workplace). If chapter 440 (~~(Engrossed~~
26 ~~Second Substitute Senate Bill No. 5497)~~), Laws of 2019 is not
27 enacted by June 30, 2019, the amount provided in this subsection
28 lapses.

29 (12)(a) The Washington state patrol must report quarterly to the
30 house and senate transportation committees on the status of
31 recruitment and retention activities as follows:

32 (i) A summary of recruitment and retention strategies;

33 (ii) The number of transportation funded staff vacancies by major
34 category;

35 (iii) The number of applicants for each of the positions by these
36 categories;

37 (iv) The composition of workforce; and

38 (v) Other relevant outcome measures with comparative information
39 with recent comparable months in prior years.

1 (b) By January 1, 2020, the Washington state patrol must submit
2 to the transportation committees of the legislature and the governor
3 a workforce diversity plan. The plan must identify ongoing, and both
4 short-term and long-term, specific comprehensive outreach and
5 recruitment strategies to increase populations underrepresented
6 within both commissioned and noncommissioned employee groups.

7 (13) \$1,182,000 of the Interstate 405 and state route number 167
8 express toll lanes account—state appropriation, \$1,988,000 of the
9 state route number 520 corridor account—state appropriation,
10 \$1,158,000 of the Tacoma Narrows toll bridge account—state
11 appropriation, and \$996,000 of the Alaskan Way viaduct replacement
12 project account—state appropriation are provided solely for the
13 Washington state patrol's proportional share of time spent supporting
14 tolling operations and enforcement for the respective tolling
15 facilities.

16 (14) \$100,000 of the state patrol highway account—state
17 appropriation is provided solely for the implementation of Senate
18 Bill No. 6218, Laws of 2020 (Washington state patrol retirement
19 definition of salary), which reflects an increase in the Washington
20 state patrol retirement system pension contribution rate of 0.15
21 percent for changes to the definition of salary. If Senate Bill No.
22 6218, Laws of 2020 is not enacted by June 30, 2020, the amount
23 provided in this subsection lapses.

24 (15) The Washington state patrol is directed to terminate its
25 "Agreement for Utility Connection and Reimbursement of Water
26 Extension Expenses" with the city of Shelton, executed on June 12,
27 2017, subject to the city of Shelton's consent to terminate the
28 agreement. The legislature finds that the water connection extension
29 constructed by the Washington state patrol from the city of Shelton's
30 water facilities to the Washington state patrol academy was necessary
31 to meet the water supply needs of the academy. The legislature also
32 finds that the water connection provides an ongoing water supply that
33 is necessary to the operation of the training facility, that the
34 state is making use of the water connection for these public
35 activities, and that any future incidental use of the municipal
36 infrastructure put in place to support these activities will not
37 impede the Washington state patrol's ongoing use of the water
38 connection extension. Therefore, the legislature determines that
39 under the public policy of this state, reimbursement by any other

1 entity is not required, notwithstanding any prior condition regarding
2 contributions of other entities that Washington state patrol was
3 required to satisfy prior to expenditure of the funds for
4 construction of the extension, and that the Washington state patrol
5 shall terminate the agreement.

6 (16) \$975,000 of the state patrol highway account—state
7 appropriation is provided solely for communications officers at the
8 King county public safety answering point.

9 (17) \$830,000 of the state patrol highway account—state
10 appropriation is provided solely for information technology security
11 enhancements.

12 (18) \$150,000 of the state patrol highway account is provided
13 solely for the Washington state patrol to work with the department of
14 enterprise services and office of minority and women's business
15 enterprises to contract for a workforce diversity strategic action
16 plan. The successful consultant must have demonstrated expertise in
17 workforce diversity research and an established record of assisting
18 organizations in implementing diversity initiatives. The plan must
19 include:

20 (a) Current and past employment data on the composition of the
21 state patrol workforce generally and of its protective service
22 workers;

23 (b) Research into the reasons for underrepresentation of
24 minorities and women in the state patrol workforce;

25 (c) Research on best practices for recruiting across the state
26 and from communities historically underrepresented in the Washington
27 state patrol workforce;

28 (d) Case studies of law enforcement and other agencies that have
29 successfully diversified their workforce; and

30 (e) A strategic plan with recommendations that will address
31 disparities in the Washington state patrol employment ranks in both
32 commissioned and noncommissioned personnel, with a focus on
33 executive, command, and supervisory employees.

**Sec. 207 is partially vetoed. See message at end of chapter.*

34 **Sec. 208.* 2019 c 416 s 208 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF LICENSING**

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

1	Motorcycle Safety Education Account—State	
2	Appropriation	((\$5,044,000))
3		<u>\$5,052,000</u>
4	State Wildlife Account—State Appropriation	((\$536,000))
5		<u>\$511,000</u>
6	Highway Safety Account—State Appropriation	((\$243,189,000))
7		<u>\$242,965,000</u>
8	Highway Safety Account—Federal Appropriation	\$1,294,000
9	Motor Vehicle Account—State Appropriation	((\$77,219,000))
10		<u>\$71,447,000</u>
11	<u>Motor Vehicle Account—Federal Appropriation.</u>	\$186,000
12	Motor Vehicle Account—Private/Local Appropriation	((\$2,858,000))
13		<u>\$10,008,000</u>
14	Ignition Interlock Device Revolving Account—State	
15	Appropriation	((\$6,143,000))
16		<u>\$5,779,000</u>
17	Department of Licensing Services Account—State	
18	Appropriation	((\$8,012,000))
19		<u>\$7,696,000</u>
20	License Plate Technology Account—State	
21	Appropriation	\$4,250,000
22	Abandoned Recreational Vehicle Account—State	
23	Appropriation.	\$2,925,000
24	Limousine Carriers Account—State Appropriation.	\$113,000
25	<u>Electric Vehicle Account—State Appropriation.</u>	<u>\$264,000</u>
26	DOL Technology Improvement & Data Management	
27	Account—State Appropriation.	\$2,250,000
28	Agency Financial Transaction Account—State	
29	Appropriation.	\$11,903,000
30	TOTAL APPROPRIATION.	((\$365,770,000))
31		<u>\$366,677,000</u>

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

34 (1) \$139,000 of the motorcycle safety education account—state
35 appropriation is provided solely for the implementation of chapter 65
36 ((~~Substitute House Bill No. 1116~~)), Laws of 2019 (motorcycle
37 safety). If chapter 65 ((~~Substitute House Bill No. 1116~~)), Laws of
38 2019 is not enacted by June 30, 2019, the amount provided in this
39 subsection lapses.

1 (2) (~~(\$404,000 of the highway safety account state appropriation~~
2 ~~is provided solely for a new driver testing system at the department.~~
3 ~~Pursuant to RCW 43.135.055 and 46.82.310, the department is~~
4 ~~authorized to increase driver training school license application and~~
5 ~~renewal fees in fiscal years 2020 and 2021, as necessary to fully~~
6 ~~support the cost of activities related to administration of the~~
7 ~~driver training school program, including the cost of the new driver~~
8 ~~testing system described in this subsection.~~

9 ~~(3))~~ \$25,000 of the motorcycle safety education account—state
10 appropriation, \$4,000 of the state wildlife account—state
11 appropriation, \$1,708,000 of the highway safety account—state
12 appropriation, \$576,000 of the motor vehicle account—state
13 appropriation, \$22,000 of the ignition interlock device revolving
14 account—state appropriation, and \$28,000 of the department of
15 licensing services account—state appropriation are provided solely
16 for the department to fund the appropriate staff(~~(, other than data~~
17 ~~stewards,)) and necessary equipment and software for data management,
18 data analytics, and data compliance activities. The department must,
19 in consultation with the office of the chief information officer,
20 construct a framework with goals for providing better data
21 stewardship and a plan to achieve those goals. The department must
22 provide the framework and plan to the transportation committees of
23 the legislature by December 31, 2019, and an update by May 1, 2020.
24 (~~Appropriations provided for the data stewardship and privacy~~
25 ~~project described in this subsection are subject to the conditions,~~
26 ~~limitations, and review provided in section 701 of this act.~~~~

27 ~~(4))~~ (3) Appropriations provided for the cloud continuity of
28 operations project in this section are subject to the conditions,
29 limitations, and review provided in section 701 of this act.

30 ~~((6))~~ (4) \$24,028,000 of the highway safety account—state
31 appropriation is provided solely for costs necessary to accommodate
32 increased demand for enhanced drivers' licenses and enhanced
33 identicards. The department shall report on a quarterly basis on the
34 use of these funds, associated workload, and information with
35 comparative information with recent comparable months in prior years.
36 The report must include detailed statewide and by licensing service
37 office information on staffing levels, average monthly wait times,
38 the number of enhanced drivers' licenses and enhanced identicards
39 issued/renewed, and the number of primary drivers' licenses and

1 identicards issued/renewed. Within the amounts provided in this
2 subsection, the department shall implement efficiency measures to
3 reduce the time for licensing transactions and wait times including,
4 but not limited to, the installation of additional cameras at
5 licensing service offices that reduce bottlenecks and align with the
6 "keep your customer" initiative.

7 ~~((8))~~ (5) \$507,000 of the motor vehicle account—state
8 appropriation is provided solely for the implementation of
9 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019
10 (vehicle service fees) or chapter 417 ~~((Engrossed House Bill No.
11 1789))~~, Laws of 2019 (vehicle service fees). If neither
12 chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or
13 chapter 417 ~~((Engrossed House Bill No. 1789))~~, Laws of 2019 are
14 enacted by June 30, 2019, the amount provided in this subsection
15 lapses.

16 ~~((10))~~ (6) \$25,000 of the motor vehicle account—state
17 appropriation is provided solely for the implementation of chapter
18 177 ~~((Engrossed House Bill No. 1996))~~, Laws of 2019 (San Juan
19 Islands license plate). If chapter 177 ~~((Engrossed House Bill No.
20 1996))~~, Laws of 2019 is not enacted by June 30, 2019, the amount
21 provided in this subsection lapses.

22 ~~((11))~~ (7) \$24,000 of the motor vehicle account—state
23 appropriation is provided solely for the implementation of chapter
24 384 ~~((House Bill No. 2062))~~, Laws of 2019 (Seattle Storm license
25 plate). If chapter 384 ~~((House Bill No. 2062))~~, Laws of 2019 is not
26 enacted by June 30, 2019, the amount provided in this subsection
27 lapses.

28 ~~((13))~~ (8) \$65,000 of the highway safety account—state
29 appropriation is provided solely for the implementation of chapter
30 440 ~~((Engrossed Second Substitute Senate Bill No. 5497))~~, Laws of
31 2019 (immigrants in the workplace). If chapter 440 ~~((Engrossed
32 Second Substitute Senate Bill No. 5497))~~, Laws of 2019 is not
33 enacted by June 30, 2019, the amount provided in this subsection
34 lapses.

35 ~~((14))~~ (9) The appropriations in this section assume
36 implementation of additional cost recovery mechanisms to recoup at
37 least \$11,903,000 in credit card and other financial transaction
38 costs as part of charges imposed for driver and vehicle fee
39 transactions beginning January 1, 2020. At the direction of the

1 office of financial management, the department must develop a method
2 of tracking the additional amount of credit card and other financial
3 cost-recovery revenues. In consultation with the office of financial
4 management, the department must notify the state treasurer of these
5 amounts and the state treasurer must deposit these revenues in the
6 agency financial transaction account created in section 717 (~~(of this~~
7 ~~aet)~~), chapter 416, Laws of 2019 on a quarterly basis.

8 ~~((18))~~ (10) \$1,281,000 of the department of licensing service
9 account—state appropriation is provided solely for savings from the
10 implementation of chapter 417 (~~(Engrossed House Bill No. 1789)~~),
11 Laws of 2019 (vehicle service fees). If chapter 417 (~~(Engrossed~~
12 ~~House Bill No. 1789)~~), Laws of 2019 is enacted by June 30, 2019, the
13 amount provided in this subsection lapses.

14 ~~((19))~~ (11) \$2,650,000 of the abandoned recreational vehicle
15 disposal account—state appropriation is provided solely for providing
16 reimbursements in accordance with the department's abandoned
17 recreational vehicle disposal reimbursement program. It is the intent
18 of the legislature that the department prioritize this funding for
19 allowable and approved reimbursements and not to build a reserve of
20 funds within the account.

21 ~~((20))~~ (12) \$20,000 of the motor vehicle account—state
22 appropriation is provided solely for the implementation of chapter
23 210 (~~(Substitute House Bill No. 1197)~~), Laws of 2019 (Gold Star
24 license plate). If chapter 210 (~~(Substitute House Bill No. 1197)~~),
25 Laws of 2019 is not enacted by June 30, 2019, the amount provided in
26 this subsection lapses.

27 ~~((21))~~ (13) \$31,000 of the motor vehicle account—state
28 appropriation is provided solely for the implementation of chapter
29 262 (~~(Substitute House Bill No. 1436)~~), Laws of 2019 (snow bikes).
30 If chapter 262 (~~(Substitute House Bill No. 1436)~~), Laws of 2019 is
31 not enacted by June 30, 2019, the amount provided in this subsection
32 lapses.

33 ~~((22))~~ (14) \$24,000 of the motor vehicle account—state
34 appropriation is provided solely for the implementation of chapter
35 139 (~~(House Bill No. 2058)~~), Laws of 2019 (Purple Heart license
36 plate). If chapter 139 (~~(House Bill No. 2058)~~), Laws of 2019 is not
37 enacted by June 30, 2019, the amount provided in this subsection
38 lapses.

1 ~~((23))~~ (15) \$24,000 of the motor vehicle account—state
2 appropriation is provided solely for the implementation of chapter
3 278 ~~((Engrossed House Bill No. 2067))~~, Laws of 2019 (vehicle and
4 vessel owner information). If chapter 278 ~~((Engrossed House Bill No.
5 2067))~~, Laws of 2019 is not enacted by June 30, 2019, the amount
6 provided in this subsection lapses.

7 ~~((25))~~ (16) \$600,000 of the highway safety account—state
8 appropriation is provided solely for the department to provide an
9 interagency transfer to the department of social and health services,
10 children's administration division for the purpose of providing
11 driver's license support to a larger population of foster youth than
12 is already served within existing resources. Support services include
13 reimbursement of driver's license issuance costs, fees for driver
14 training education, and motor vehicle liability insurance costs.

15 ~~((26))~~ (17) The department must place personal and company data
16 elements in separate data fields to allow the department to select
17 discrete data elements when providing information or data to persons
18 or entities outside the department. Pursuant to the restrictions in
19 federal and state law, a person's photo, social security number, or
20 medical information must not be made available through public
21 disclosure or data being provided under RCW 46.12.630 or 46.12.635.

22 ~~((30))~~ (18) \$91,000 of the highway safety account—state
23 appropriation is provided solely for the department's costs related
24 to the one Washington project.

25 ~~((31) \$974,000)~~ (19) \$1,674,000 of the highway safety account—
26 state appropriation is provided solely for communication and outreach
27 activities necessary to inform the public of federally acceptable
28 identification options including, but not limited to, enhanced
29 drivers' licenses and enhanced identicards. The department shall
30 continue the outreach plan that includes informational material that
31 can be effectively communicated to all communities and populations in
32 Washington. To accomplish this work, the department shall contract
33 with an external vendor with demonstrated experience and expertise in
34 outreach and marketing to underrepresented communities in a
35 culturally-responsive fashion.

36 (20) Due to the passage of chapter 1 (Initiative Measure No.
37 976), Laws of 2020, the department, working with the office of
38 financial management, shall provide a monthly report on the number of
39 registrations involved and differences between actual collections and

1 collections if the initiative was not subject to a temporary
2 injunction as of December 5, 2019.

3 (21) The appropriations in this section assume full cost recovery
4 for the administration and collection of a motor vehicle excise tax
5 on behalf of any regional transit authority pursuant to section 706
6 of this act.

7 (22) \$24,000 of the motor vehicle account—state appropriation is
8 provided solely for the implementation of chapter . . . (Substitute
9 House Bill No. 1255), Laws of 2020 (Patches pal special license
10 plate). If chapter . . . (Substitute House Bill No. 1255), Laws of
11 2020 is not enacted by June 30, 2020, the amount provided in this
12 subsection lapses.

13 (23) \$24,000 of the motor vehicle account—state appropriation is
14 provided solely for the implementation of chapter . . . (Engrossed
15 Second Substitute House Bill No. 2050), Laws of 2020 (Washington wine
16 special license plate). If chapter . . . (Engrossed Second Substitute
17 House Bill No. 2050), Laws of 2020 is not enacted by June 30, 2020,
18 the amount provided in this subsection lapses.

19 (24) \$24,000 of the motor vehicle account—state appropriation is
20 provided solely for the implementation of chapter . . . (Engrossed
21 Substitute House Bill No. 2085), Laws of 2020 (Mt. St. Helens special
22 license plate). If chapter . . . (Engrossed Substitute House Bill No.
23 2085), Laws of 2020 is not enacted by June 30, 2020, the amount
24 provided in this subsection lapses.

25 (25) \$24,000 of the motor vehicle account—state appropriation is
26 provided solely for the implementation of chapter . . . (Substitute
27 House Bill No. 2187), Laws of 2020 (women veterans special license
28 plate) or chapter . . . (Senate Bill No. 6433), Laws of 2020 (women
29 veterans special license plate). If neither chapter . . . (Substitute
30 House Bill No. 2187), Laws of 2020 nor chapter . . . (Senate Bill No.
31 6433), Laws of 2020 is enacted by June 30, 2020, the amount provided
32 in this subsection lapses.

33 (26) \$107,000 of the highway safety account—state appropriation
34 is provided solely for the implementation of chapter . . . (Engrossed
35 House Bill No. 2188), Laws of 2020 (military veterans commercial
36 driver's license waivers) or chapter . . . (Second Substitute Senate
37 Bill No. 5544), Laws of 2020 (military veterans commercial driver's
38 license waivers). If neither chapter . . . (Engrossed House Bill No.
39 2188), Laws of 2020 nor chapter . . . (Second Substitute Senate Bill

1 No. 5544), Laws of 2020 is enacted by June 30, 2020, the amount
2 provided in this subsection lapses.

3 (27) \$50,000 of the motor vehicle account—state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 House Bill No. 2353), Laws of 2020 (fire trailer registrations). If
6 chapter . . . (Substitute House Bill No. 2353), Laws of 2020 is not
7 enacted by June 30, 2020, the amount provided in this subsection
8 lapses.

9 (28) \$114,000 of the highway safety account—state appropriation
10 is provided solely for the implementation of chapter . . .
11 (Substitute House Bill No. 2607), Laws of 2020 (homeless youth
12 identicards) or chapter . . . (Senate Bill No. 6304), Laws of 2020
13 (homeless youth identicards). If neither chapter . . . (Substitute
14 House Bill No. 2607), Laws of 2020 nor chapter . . . (Senate Bill No.
15 6304), Laws of 2020 is enacted by June 30, 2020, the amount provided
16 in this subsection lapses.

17 (29) \$24,000 of the motor vehicle account—state appropriation is
18 provided solely for the implementation of chapter . . . (House Bill
19 No. 2669), Laws of 2020 (Seattle national hockey league special
20 license plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020
21 (Seattle national hockey league special license plate). If neither
22 chapter . . . (House Bill No. 2669), Laws of 2020 nor chapter . . .
23 (Senate Bill No. 6562), Laws of 2020 is enacted by June 30, 2020, the
24 amount provided in this subsection lapses.

25 (30) \$14,000 of the motor vehicle account—state appropriation is
26 provided solely for the implementation of chapter . . . (Engrossed
27 Substitute House Bill No. 2723), Laws of 2020 (off-road vehicle
28 enforcement) or chapter . . . (Senate Bill No. 6115), Laws of 2020
29 (off-road vehicle enforcement). If neither chapter . . . (Engrossed
30 Substitute House Bill No. 2723), Laws of 2020 nor chapter . . .
31 (Senate Bill No. 6115), Laws of 2020 is enacted by June 30, 2020, the
32 amount provided in this subsection lapses.

33 (31) \$105,000 of the motor vehicle account—state appropriation is
34 provided solely for the implementation of chapter . . . (House Bill
35 No. 2491), Laws of 2020 (tribal vehicles compact) or chapter . . .
36 (Senate Bill No. 6251), Laws of 2020 (tribal vehicles compact). If
37 neither chapter . . . (House Bill No. 2491), Laws of 2020 nor
38 chapter . . . (Senate Bill No. 6251), Laws of 2020 (tribal vehicles

1 compact) is enacted by June 30, 2020, the amount provided in this
2 subsection lapses.

3 (32) \$57,000 of the state wildlife account—state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 Senate Bill No. 6072), Laws of 2020 (state wildlife account). If
6 chapter . . . (Substitute Senate Bill No. 6072), Laws of 2020 is not
7 enacted by June 30, 2020, the amount provided in this subsection
8 lapses.

9 (33) \$19,000 of the motor vehicle account—state appropriation is
10 provided solely for the implementation of chapter . . . (Engrossed
11 Senate Bill No. 6032), Laws of 2020 (apples special license plate).
12 If chapter . . . (Engrossed Senate Bill No. 6032), Laws of 2020 is
13 not enacted by June 30, 2020, the amount provided in this subsection
14 lapses.

15 (34) \$19,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter . . . (Engrossed
17 Substitute Senate Bill No. 5591), Laws of 2020 (stolen vehicle
18 check). If chapter . . . (Engrossed Substitute Senate Bill No. 5591),
19 Laws of 2020 is not enacted by June 30, 2020, the amount provided in
20 this subsection lapses.

21 **(35) Within the amounts appropriated in this section, the**
22 **department shall relocate, or finish relocating, the licensing**
23 **service offices in Lacey, Tacoma, and Bellevue-Redmond and make**
24 **emergency repairs to the licensing service office in Vancouver.**

25 (36) \$40,000 of the department of licensing services account—
26 state appropriation is provided solely for the department to report
27 to the governor and chairs of the transportation committees of the
28 legislature by December 1, 2020, with a proposed plan to allow the
29 registered owner of a vehicle, or the registered owner's authorized
30 representative, to voluntarily enter into either a quarterly or
31 monthly payment plan with the department to pay vehicle fees or taxes
32 due at the time of application for renewal vehicle registration. The
33 plan must include: (a) An analysis of the administrative costs
34 associated with allowing the payment plans; (b) the estimated revenue
35 impact by fund or account, including impacts to local governments;
36 and (c) the recommended method to achieve the greatest level of
37 customer payment compliance.

38 (37) (a) Within available resources, and in collaboration with the
39 department of revenue, the department of licensing shall evaluate the

1 effectiveness of chapter 218, Laws of 2017, in improving compliance
2 with state laws relating to the registration of off-road vehicles,
3 including the payment of retail sales and use tax. The department of
4 licensing shall recommend any statutory, administrative, or other
5 changes needed to optimize and further strengthen the compliance,
6 including an implementation timeline and corresponding resource
7 requirements. Among its recommendations, the department of licensing
8 must address potential changes to the process under RCW 46.93.210 by
9 which the department notifies persons whose vehicles may not be
10 properly registered in the state. The department shall submit a
11 report to the governor and the transportation committees of the
12 legislature by December 15, 2020.

13 (b) If chapter . . . (Engrossed Substitute House Bill No. 2723),
14 Laws of 2020 is enacted by June 30, 2020, this subsection has no
15 force and effect.

**Sec. 208 is partially vetoed. See message at end of chapter.*

16 **Sec. 209.** 2019 c 416 s 209 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE**
19 **—PROGRAM B**

20 (~~High Occupancy Toll Lanes Operations Account—State~~
21 ~~Appropriation \$3,774,000~~
22 ~~Motor Vehicle Account—State Appropriation \$513,000~~)
23 State Route Number 520 Corridor Account—State
24 ~~Appropriation ((\$43,773,000))~~
25 \$59,059,000
26 State Route Number 520 Civil Penalties Account—State
27 ~~Appropriation \$4,145,000~~
28 Tacoma Narrows Toll Bridge Account—State
29 ~~Appropriation ((\$27,807,000))~~
30 \$33,806,000
31 Alaskan Way Viaduct Replacement Project Account—State
32 ~~Appropriation. ((\$20,061,000))~~
33 \$21,616,000
34 Interstate 405 and State Route Number 167 Express
35 Toll Lanes ((Operations)) Account—State
36 Appropriation. ((\$18,329,000))
37 \$27,457,000

1 TOTAL APPROPRIATION. ((~~\$118,402,000~~))
2 \$146,083,000

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

5 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
6 appropriation and \$11,034,000 of the state route number 520 corridor
7 account—state appropriation are provided solely for the purposes of
8 addressing unforeseen operations and maintenance costs on the Tacoma
9 Narrows bridge and the state route number 520 bridge, respectively.
10 The office of financial management shall place the amounts provided
11 in this subsection, which represent a portion of the required minimum
12 fund balance under the policy of the state treasurer, in unallotted
13 status. The office may release the funds only when it determines that
14 all other funds designated for operations and maintenance purposes
15 have been exhausted.

16 (2) As long as the facility is tolled, the department must
17 provide quarterly reports to the transportation committees of the
18 legislature on the Interstate 405 express toll lane project
19 performance measures listed in RCW 47.56.880(4). These reports must
20 include:

21 (a) Information on the travel times and travel time reliability
22 (at a minimum, average and 90th percentile travel times) maintained
23 during peak and nonpeak periods in the express toll lanes and general
24 purpose lanes for both the entire corridor and commonly made trips in
25 the corridor including, but not limited to, northbound from Bellevue
26 to Rose Hill, state route number 520 at NE 148th to Interstate 405 at
27 state route number 522, Bellevue to Bothell (both NE 8th to state
28 route number 522 and NE 8th to state route number 527), and a trip
29 internal to the corridor (such as NE 85th to NE 160th) and similar
30 southbound trips;

31 (b) A month-to-month comparison of travel times and travel time
32 reliability for the entire corridor and commonly made trips in the
33 corridor as specified in (a) of this subsection since implementation
34 of the express toll lanes and, to the extent available, a comparison
35 to the travel times and travel time reliability prior to
36 implementation of the express toll lanes;

37 (c) Total express toll lane and total general purpose lane
38 traffic volumes, as well as per lane traffic volumes for each type of
39 lane (i) compared to total express toll lane and total general

1 purpose lane traffic volumes, as well as per lane traffic volumes for
2 each type of lane, on this segment of Interstate 405 prior to
3 implementation of the express toll lanes and (ii) compared to total
4 express toll lane and total general purpose lane traffic volumes, as
5 well as per lane traffic volumes for each type of lane, from month to
6 month since implementation of the express toll lanes; and

7 (d) Underlying congestion measurements, that is, speeds, that are
8 being used to generate the summary graphs provided, to be made
9 available in a digital file format.

10 (3) (a) (~~(\$71,000)~~) \$2,114,000 of the (~~(high—occupancy)~~)
11 Interstate 405 and state route number 167 express toll lanes
12 (~~(operations)~~) account—state appropriation, (~~(\$1,238,000)~~) \$4,920,000
13 of the state route number 520 corridor account—state appropriation,
14 (~~(\$532,000)~~) \$2,116,000 of the Tacoma Narrows toll bridge account—
15 state appropriation, (~~(\$460,000 of the Interstate 405 express toll~~
16 ~~lanes operations account state appropriation,)~~) and (~~(\$699,000)~~)
17 \$2,776,000 of the Alaskan Way viaduct replacement project account—
18 state appropriation are provided solely for the department to finish
19 implementing a new tolling customer service toll collection system,
20 and are subject to the conditions, limitations, and review provided
21 in section 701 of this act.

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

30 (4) The department shall make detailed quarterly reports to the
31 transportation committees of the legislature and the public on the
32 department's web site on the following:

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

37 (b) The nonvendor costs of administering toll operations,
38 including the costs of staffing the division, consultants, and other
39 personal service contracts required for technical oversight and

1 management assistance, insurance, payments related to credit card
2 processing, transponder purchases and inventory management, facility
3 operations and maintenance, and other miscellaneous nonvendor costs;

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

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

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

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

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

15 (iv) Workload costs related to hearings;

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

17 (vi) Revenues generated from notices of civil penalty; and

18 (e) A summary of toll revenue by facility on all operating toll
19 facilities and (~~high-occupancy~~) express toll lane systems, and an
20 itemized depiction of the use of that revenue.

21 (5) (~~(\$17,517,000)~~) \$24,735,000 of the Interstate 405 and state
22 route number 167 express toll lanes (~~operations~~) account—state
23 appropriation is provided solely for operational costs related to the
24 express toll lane facility.

25 (6) In calendar year 2021, toll equipment on the Tacoma Narrows
26 Bridge will have reached the end of its operational life. During the
27 2019-2021 fiscal biennium, the department plans to issue a request
28 for proposals as the first stage of a competitive procurement process
29 that will replace the toll equipment and select a new tolling
30 operator for the Tacoma Narrows Bridge. The request for proposals and
31 subsequent competitive procurement must incorporate elements that
32 prioritize the overall goal of lowering costs per transaction for the
33 facility, such as incentives for innovative approaches which result
34 in lower transactional costs, requests for efficiencies on the part
35 of the bidder that lower operational costs, and incorporation of
36 technologies such as self-serve credit card machines or other point-
37 of-payment technologies that lower costs or improve operational
38 efficiencies.

39 (7) (~~(\$19,362,000)~~) \$18,840,000 of the Alaskan Way viaduct
40 replacement project account—state appropriation is provided solely

1 for the new state route number 99 tunnel toll facility's expected
2 share of collecting toll revenues, operating customer services, and
3 maintaining toll collection systems. The legislature expects to see
4 appropriate reductions to the other toll facility accounts once
5 tolling on the new state route number 99 tunnel toll facility
6 commences and any previously incurred costs for start-up of the new
7 facility are charged back to the Alaskan Way viaduct replacement
8 project account. The office of financial management shall closely
9 monitor the application of the cost allocation model and ensure that
10 the new state route number 99 tunnel toll facility is adequately
11 sharing costs and the other toll facility accounts are not being
12 overspent or subsidizing the new state route number 99 tunnel toll
13 facility.

14 (8) (~~(\$256,000)~~) \$608,000 of the (~~(high occupancy toll lanes~~
15 ~~operations account state appropriation and \$352,000 of the))~~
16 Interstate 405 and state route number 167 express toll lanes
17 (~~(operations)~~) ~~account—state appropriation~~ are provided solely for
18 increased levels of service from the Washington state patrol for
19 enforcement of toll lane violations on the (~~(state route number 167~~
20 ~~high occupancy toll lanes and the))~~ Interstate 405 and state route
21 number 167 express toll lanes. The department shall compile monthly
22 data on the number of Washington state patrol enforcement hours on
23 each facility and the percentage of time during peak hours that
24 speeds are at or above forty-five miles per hour on each facility.
25 The department shall provide this data in a report to the
26 transportation committees of the legislature on at least a calendar
27 quarterly basis.

28 (9) The department shall develop an ongoing cost allocation
29 method to assign appropriate costs to each of the toll funds for
30 services provided by each Washington state department of
31 transportation program and all relevant transportation agencies,
32 including the Washington state patrol and the transportation
33 commission. This method should update the toll cost allocation method
34 used in the 2020 supplemental transportation appropriations act. By
35 December 1, 2020, a report with the recommended method and any
36 changes or potential impacts to toll rates shall be submitted to the
37 transportation committees of the legislature and the office of
38 financial management.

1 (2) (~~(\$198,000)~~) \$1,375,000 of the motor vehicle account—state
2 appropriation is provided solely for the department's cost related to
3 the one Washington project.

4 (3) \$21,500,000 of the motor vehicle account—state appropriation
5 is provided solely for the activities of the information technology
6 program in developing and maintaining information systems that
7 support the operations and program delivery of the department,
8 ensuring compliance with section 701 of this act, and the
9 requirements of the office of the chief information officer under RCW
10 43.88.092 to evaluate and prioritize any new financial and capital
11 systems replacement or modernization project and any other
12 information technology project. During the 2019-2021 fiscal biennium,
13 the department (~~(is prohibited from using)~~) may use the distributed
14 direct program support or (~~(any)~~) other cost allocation method to
15 fund (~~(any)~~) a new (~~(financial and)~~) capital systems replacement or
16 modernization project (~~(without having the project evaluated and~~
17 ~~prioritized by the office of the chief information officer and~~
18 ~~submitting)~~). The department shall submit a decision package for
19 implementation of a new capital systems replacement project to the
20 governor and the transportation committees of the legislature as part
21 of the normal budget process for the 2021-2023 biennium.

22 **Sec. 211.** 2019 c 416 s 211 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE,**
25 **OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

26 Motor Vehicle Account—State Appropriation	((\$33,149,000))
	<u>\$34,807,000</u>
28 State Route Number 520 Corridor Account—State	
29 Appropriation	\$34,000
30 TOTAL APPROPRIATION.	((\$33,183,000))
	<u>\$34,841,000</u>

32 **Sec. 212.** 2019 c 416 s 212 (uncodified) is amended to read as
33 follows:

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

35 Aeronautics Account—State Appropriation	((\$7,635,000))
	<u>\$7,743,000</u>
37 Aeronautics Account—Federal Appropriation	((\$2,542,000))

1		<u>\$3,043,000</u>
2	Aeronautics Account—Private/Local Appropriation	\$60,000
3	TOTAL APPROPRIATION.	((\$10,237,000))
4		<u>\$10,846,000</u>

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

7 (1) (~~(\$2,751,000)~~) \$2,862,000 of the aeronautics account—state
8 appropriation is provided solely for the airport aid grant program,
9 which provides competitive grants to public use airports for
10 pavement, safety, maintenance, planning, and security.

11 (2) (~~(\$468,000)~~) \$268,000 of the aeronautics account—state
12 appropriation is provided solely for one FTE dedicated to planning
13 aviation emergency services and addressing emerging aeronautics
14 requirements (~~(, and for the implementation of chapter . . . (House~~
15 ~~Bill No. 1397), Laws of 2019 (electric aircraft work group), which~~
16 ~~extends the electric aircraft work group past its current expiration~~
17 ~~and allows WSDOT to employ a consultant to assist with the work~~
18 ~~group. If chapter . . . (House Bill No. 1397), Laws of 2019 is not~~
19 ~~enacted by June 30, 2019, \$200,000 of the amount in this subsection~~
20 ~~lapses)).~~

21 (3) \$200,000 of the aeronautics account—state appropriation is
22 provided solely for the department to convene an electric aircraft
23 work group to study the state of the electrically powered aircraft
24 industry and assess infrastructure needs related to the deployment of
25 electric or hybrid-electric aircraft for commercial air travel in
26 Washington state.

27 (a) The chair of the work group may be a consultant specializing
28 in aeronautics. The work group must include, but is not limited to,
29 representation from the electric aircraft industry, the aircraft
30 manufacturing industry, electric utility districts, the battery
31 industry, the department of commerce, the department of
32 transportation aviation division, the airline pilots association, a
33 primary airport representing an airport association, and the airline
34 industry.

35 (b) The study must include, but is not limited to:

36 (i) Infrastructure requirements necessary to facilitate electric
37 aircraft operations at airports;

38 (ii) Potential economic and public benefits including, but not
39 limited to, the direct and indirect impact on the number of

1 manufacturing and service jobs and the wages from those jobs in
2 Washington state;

3 (iii) Potential incentives for industry in the manufacturing and
4 operation of electric aircraft for regional air travel;

5 (iv) Educational and workforce requirements for manufacturing and
6 maintaining electric aircraft;

7 (v) Demand and forecast for electric aircraft use to include
8 expected timeline of the aircraft entering the market given federal
9 aviation administration certification requirements;

10 (vi) Identification of up to six airports in Washington state
11 that may benefit from a pilot program once an electrically propelled
12 aircraft for commercial use becomes available; and

13 (vii) Recommendations to further the advancement of the
14 electrification of aircraft for regional commercial use within
15 Washington state, including specific, (~~measureable~~) measurable
16 goals for the years 2030, 2040, and 2050 that reflect progressive and
17 substantial increases in the utilization of electric and hybrid-
18 electric commercial aircraft.

19 (c) The work group must submit a report and accompanying
20 recommendations to the transportation committees of the legislature
21 by November 15, 2020.

22 (~~((d) If chapter . . . (House Bill No. 1397), Laws of 2019 is
23 enacted by June 30, 2019, the amount provided in this subsection (3)
24 lapses.))~~)

25 (4) (~~(\$150,000)~~) \$350,000 of the aeronautics account—state
26 appropriation is provided solely for the implementation of chapter
27 396 (~~((Substitute Senate Bill No. 5370))~~), Laws of 2019 (aviation
28 coordinating commission). (~~((If chapter 396 (Substitute Senate Bill
29 No. 5370), Laws of 2019 is not enacted by June 30, 2019, the amount
30 provided in this subsection lapses.))~~)

31 (5) Within amounts appropriated in this section, the aviation
32 division of the department shall assist and consult with the
33 department of revenue in their efforts to update the document titled
34 "Washington Action Plan - FAA Policy Concerning Airport Revenue" to
35 reflect changes to Washington tax code regarding hazardous
36 substances. The department of revenue, in consultation with the
37 aviation division of the Washington state department of
38 transportation, is tasked with developing and recommending a
39 methodology to segregate and track actual amounts collected from the
40 hazardous substance tax under chapter 82.21 RCW and the petroleum

1 products tax under chapter 82.23A RCW as imposed on aviation fuel.
2 The department of revenue is directed to submit a report, including
3 the recommended methodology, to the fiscal committees of the house of
4 representatives and the senate by January 11, 2021.

5 **Sec. 213.** 2019 c 416 s 213 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
8 **SUPPORT—PROGRAM H**

9 Motor Vehicle Account—State Appropriation	((\$59,801,000))
	<u>\$59,788,000</u>
11 Motor Vehicle Account—Federal Appropriation	\$500,000
12 Multimodal Transportation Account—State Appropriation . . .	\$258,000
13 TOTAL APPROPRIATION.	((\$60,559,000))
14	<u>\$60,546,000</u>

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

17 (1) The legislature recognizes that the trail known as the Rocky
18 Reach Trail, and its extensions, serve to separate motor vehicle
19 traffic from pedestrians and bicyclists, increasing motor vehicle
20 safety on state route number 2 and the coincident section of state
21 route number 97. Consistent with chapter 47.30 RCW and pursuant to
22 RCW 47.12.080, the legislature declares that transferring portions of
23 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
24 associated buffer areas to the Washington state parks and recreation
25 commission is consistent with the public interest. The legislature
26 directs the department to transfer the property to the Washington
27 state parks and recreation commission.

28 (a) The department must be paid fair market value for any
29 portions of the transferred real property that is later abandoned,
30 vacated, or ceases to be publicly maintained for trail purposes.

31 (b) Prior to completing the transfer in this subsection (1), the
32 department must ensure that provisions are made to accommodate
33 private and public utilities and any facilities that predate the
34 department's acquisition of the property, at no cost to those
35 entities. Prior to completing the transfer, the department shall also
36 ensure that provisions, by fair market assessment, are made to
37 accommodate other private and public utilities and any facilities
38 that have been legally allowed by permit or other instrument.

1 (c) The department may sell any adjoining property that is not
2 necessary to support the Rocky Reach Trail and adjacent buffer areas
3 only after the transfer of trail-related property to the Washington
4 state parks and recreation commission is complete. Adjoining property
5 owners must be given the first opportunity to acquire such property
6 that abuts their property, and applicable boundary line or other
7 adjustments must be made to the legal descriptions for recording
8 purposes.

9 (2) With respect to Parcel 12 of the real property conveyed by
10 the state of Washington to the city of Mercer Island under that
11 certain quitclaim deed, dated April 19, 2000, recorded in King county
12 under recording no. 20000425001234, the requirement in the deed that
13 the property be used for road/street purposes only will be deemed
14 satisfied by the department of transportation so long as commuter
15 parking, as part of the vertical development of the property, is one
16 of the significant uses of the property.

17 (3) \$1,600,000 of the motor vehicle account—state appropriation
18 is provided solely for real estate services activities. Consistent
19 with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when
20 initiating, extending, or renewing any rent or lease agreements with
21 a regional transit authority, consideration of value must be
22 equivalent to one hundred percent of economic or market rent.

23 (4) (a) \$100,000 of the motor vehicle account—state appropriation
24 is provided solely for the department to:

25 (i) Determine the real property owned by the state of Washington
26 and under the jurisdiction of the department in King county that is
27 surplus property located in an area encompassing south of Dearborn
28 Street in Seattle, south of Newcastle, west of SR 515, and north of
29 South 216th to SR 515; and

30 (ii) Use any remaining funds after (a) (i) of this subsection is
31 completed to identify additional real property across the state owned
32 by the state of Washington and under the jurisdiction of the
33 department that is surplus property.

34 (b) The department shall provide a report to the transportation
35 committees of the legislature describing the properties it has
36 identified as surplus property under (a) of this subsection by
37 October 1, 2020.

38 **Sec. 214.** 2019 c 416 s 214 (uncodified) is amended to read as
39 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
2 **PROGRAM K**

3	Motor Vehicle Account—State Appropriation	\$670,000
4	Electric Vehicle Account—State Appropriation.	\$2,000,000
5	Multimodal Transportation Account—State Appropriation. . .	\$1,634,000
6	TOTAL APPROPRIATION.	\$4,304,000

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

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

12 (2) \$350,000 of the multimodal transportation account—state
13 appropriation is provided solely for the department to execute a
14 transit oriented development pilot project at Kingsgate park and ride
15 in Kirkland intended to be completed by December 31, 2023. The
16 purpose of the pilot project is to demonstrate how appropriate
17 department properties may be used to provide multiple public benefits
18 such as affordable and market rate housing, commercial development,
19 and institutional facilities in addition to transportation purposes.
20 To accomplish the pilot project, the department is authorized to
21 exercise all legal and administrative powers authorized in statute
22 that may include, but is not limited to, the transfer, lease, or sale
23 of some or all of the property to another governmental agency, public
24 development authority, or nonprofit developer approved by the
25 department and partner agencies. The department may also partner with
26 sound transit, King county, the city of Kirkland, and any other
27 federal, regional, or local jurisdiction on any policy changes
28 necessary from those jurisdictions to facilitate the pilot project.
29 By December 1, 2019, the department must report to the legislature on
30 any legislative actions necessary to facilitate the pilot project and
31 future transit oriented development projects.

32 (3) \$2,000,000 of the electric vehicle account—state
33 appropriation is provided solely for the clean alternative fuel
34 vehicle charging and refueling infrastructure program in chapter 287
35 (~~((Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019
36 (advancing green transportation adoption). (~~((If chapter 287~~
37 ~~(Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is~~
38 ~~not enacted by June 30, 2019, the amount provided in this subsection~~
39 ~~lapses.))~~)

1 (4) \$1,200,000 of the multimodal transportation account—state
2 appropriation is provided solely for the pilot program established
3 under chapter 287 (~~((Engrossed Second Substitute House Bill No.
4 2042))~~), Laws of 2019 (advancing green transportation adoption) to
5 provide clean alternative fuel vehicle use opportunities to
6 underserved communities and low to moderate income members of the
7 workforce not readily served by transit or located in transportation
8 corridors with emissions that exceed federal or state emissions
9 standards. (~~(If chapter 287 (Engrossed Second Substitute House Bill
10 No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount
11 provided in this subsection lapses.)~~)

12 (5) \$84,000 of the multimodal transportation account—state
13 appropriation is provided solely for an interagency transfer to the
14 department of commerce for the purpose of conducting a study as
15 described in chapter 287 (~~((Engrossed Second Substitute House Bill
16 No. 2042))~~), Laws of 2019 (advancing green transportation adoption)
17 to identify opportunities to reduce barriers to electric vehicle
18 adoption by lower income residents of the state through the use of
19 vehicle and infrastructure financing assistance. (~~(If chapter 287
20 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is
21 not enacted by June 30, 2019, the amount provided in this subsection
22 lapses.)~~)

23 (6) Building on the information and experience gained from the
24 transit oriented development project at the Kingsgate park and ride,
25 the department must identify a pilot park and ride with future
26 public-private partnership development potential in Pierce county and
27 report back to the transportation committees of the legislature by
28 June 30, 2021, with a proposal for moving forward with a pilot
29 project.

30 **Sec. 215.** 2019 c 416 s 215 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

33 Motor Vehicle Account—State Appropriation	(\$495,228,000)
34	<u>\$486,514,000</u>
35 Motor Vehicle Account—Federal Appropriation	\$7,000,000
36 State Route Number 520 Corridor Account—State	
37 Appropriation	\$4,447,000
38 Tacoma Narrows Toll Bridge Account—State	

1	Appropriation	\$1,549,000
2	Alaskan Way Viaduct Replacement Project	
3	Account—State Appropriation	(\$9,533,000)
4		<u>\$9,537,000</u>
5	Interstate 405 <u>and State Route Number 167</u> Express	
6	Toll Lanes (Operations) Account—State	
7	Appropriation.	(\$1,370,000)
8		<u>\$4,528,000</u>
9	TOTAL APPROPRIATION.	(\$519,127,000)
10		<u>\$513,575,000</u>

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

13 (1) (a) \$6,170,000 of the motor vehicle account—state
14 appropriation is provided solely for utility fees assessed by local
15 governments as authorized under RCW 90.03.525 for the mitigation of
16 stormwater runoff from state highways. Plan and reporting
17 requirements as required in chapter 435 (~~Senate Bill No. 5505~~),
18 Laws of 2019 (Local Stormwater Charges) shall be consistent with the
19 January 2012 findings of the Joint Transportation Committee Report
20 for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and
21 Efficiencies in Stormwater Management.

22 (b) Pursuant to RCW 90.03.525(3), the department and the
23 utilities imposing charges to the department shall negotiate with the
24 goal of agreeing to rates such that the total charges to the
25 department for the 2019-2021 fiscal biennium do not exceed the amount
26 provided in this subsection. The department shall report to the
27 transportation committees of the legislature on the amount of funds
28 requested, the funds granted, and the strategies used to keep costs
29 down, by January 17, 2021. If chapter 435 (~~Senate Bill No. 5505~~),
30 Laws of 2019 (local stormwater charges) is enacted by June 30, 2019,
31 this subsection (1) (b) does not take effect.

32 (2) \$4,447,000 of the state route number 520 corridor account—
33 state appropriation is provided solely to maintain the state route
34 number 520 floating bridge. These funds must be used in accordance
35 with RCW 47.56.830(3).

36 (3) \$1,549,000 of the Tacoma Narrows toll bridge account—state
37 appropriation is provided solely to maintain the new Tacoma Narrows
38 bridge. These funds must be used in accordance with RCW 47.56.830(3).

1 (4) (~~(\$1,370,000)~~) \$2,050,000 of the Interstate 405 and state
2 route number 167 express toll lanes (~~(operations)~~) account—state
3 appropriation is provided solely to maintain the Interstate 405 and
4 state route number 167 express toll lanes between Lynnwood and
5 Bellevue, and Renton and the southernmost point of the express toll
6 lanes. These funds must be used in accordance with RCW 47.56.830(3).

7 (5) \$2,478,000 of the Interstate 405 and state route number 167
8 express toll lanes account—state appropriation is provided solely for
9 maintenance for the 2019-2021 fiscal biennium only on the Interstate
10 405 roadway between Renton and Bellevue.

11 (6) \$5,000,000 of the motor vehicle account—state appropriation
12 is provided solely for a contingency pool for snow and ice removal.
13 The department must notify the office of financial management and the
14 transportation committees of the legislature when they have spent the
15 base budget for snow and ice removal and will begin using the
16 contingency pool funding.

17 (~~(+6)~~) (7) \$1,025,000 of the motor vehicle account—state
18 appropriation is provided solely for the department to implement
19 safety improvements and debris clean up on department-owned rights-
20 of-way in the city of Seattle at levels above that being implemented
21 as of January 1, 2019. The department must contract out or hire a
22 crew dedicated solely to collecting and disposing of garbage,
23 clearing debris or hazardous material, and implementing safety
24 improvements where hazards exist to the traveling public, department
25 employees, or people encamped upon department-owned rights-of-way.
26 The department may request assistance from the Washington state
27 patrol as necessary in order for both agencies to provide enhanced
28 safety-related activities regarding the emergency hazards along state
29 highway rights-of-way in the Seattle area.

30 (~~(+7)~~) (8) \$1,015,000 of the motor vehicle account—state
31 appropriation is provided solely for a partnership program between
32 the department and the city of Tacoma. The program shall address the
33 safety and public health problems created by homeless encampments on
34 the department's property along state highways within the city
35 limits. \$570,000 is for dedicated department maintenance staff and
36 associated clean-up costs. The department and the city of Tacoma
37 shall enter into a reimbursable agreement to cover up to \$445,000 of
38 the city's expenses for clean-up crews and landfill costs.

1 ~~((8))~~ (9) The department must commence a pilot program for the
2 2019-2021 fiscal biennium at the four highest demand safety rest
3 areas to create and maintain an online calendar for volunteer groups
4 to check availability of weekends for the free coffee program. The
5 calendar must be updated at least weekly and show dates and times
6 that are, or are not, available to participate in the free coffee
7 program. The department must submit a report to the legislature on
8 the ongoing pilot by December 1, 2020, outlining the costs and
9 benefits of the online calendar pilot, and including surveys from the
10 volunteer groups and agency staff to determine its effectiveness.

11 **Sec. 216.** 2019 c 416 s 216 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
14 **OPERATING**

15	Motor Vehicle Account—State Appropriation	(\$70,681,000)
16		<u>\$76,211,000</u>
17	Motor Vehicle Account—Federal Appropriation	\$2,050,000
18	Motor Vehicle Account—Private/Local Appropriation	\$250,000
19	<u>State Route Number 520 Corridor Account—State</u>	
20	<u>Appropriation.</u>	<u>\$53,000</u>
21	<u>Tacoma Narrows Toll Bridge Account—State Appropriation.</u>	<u>\$31,000</u>
22	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
23	<u>State Appropriation.</u>	<u>\$26,000</u>
24	<u>Interstate 405 and State Route Number 167 Express</u>	
25	<u>Toll Lanes Account—State Appropriation.</u>	<u>\$32,000</u>
26	TOTAL APPROPRIATION.	(\$72,981,000)
27		<u>\$78,653,000</u>

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

30 (1) \$6,000,000 of the motor vehicle account—state appropriation
31 is provided solely for low-cost enhancements. The department shall
32 give priority to low-cost enhancement projects that improve safety or
33 provide congestion relief. By December 15th of each odd-numbered
34 year, the department shall provide a report to the legislature
35 listing all low-cost enhancement projects completed in the prior
36 fiscal biennium.

37 (2) (a) During the 2019-2021 fiscal biennium, the department shall
38 continue a pilot program that expands private transportation

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

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

30 (c) The department shall expand the high occupancy vehicle lane
31 access pilot program to organ transport vehicles transporting a time
32 urgent organ for an organ procurement organization as defined in RCW
33 68.64.010. Under the pilot program, when the department reserves a
34 portion of a highway based on the number of passengers in a vehicle,
35 organ transport vehicles that are clearly and identifiably marked as
36 such on all sides of the vehicle are considered emergency vehicles
37 and must be authorized to use the reserved portion of the highway.

38 (d) The department shall expand the high occupancy vehicle lane
39 access pilot program to private, for hire vehicles regulated under
40 chapter 81.72 RCW that have been specially manufactured, designed, or

1 modified for the transportation of a person who has a mobility
2 disability and uses a wheelchair or other assistive device. Under the
3 pilot program, when the department reserves a portion of a highway
4 based on the number of passengers in a vehicle, wheelchair-accessible
5 taxicabs that are clearly and identifiably marked as such on all
6 sides of the vehicle are considered public transportation vehicles
7 and must be authorized to use the reserved portion of the highway.

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

12 (3) When regional transit authority construction activities are
13 visible from a state highway, the department shall allow the regional
14 transit authority to place safe and appropriate signage informing the
15 public of the purpose of the construction activity.

16 (4) The department must make signage for low-height bridges a
17 high priority.

18 (5) \$32,000 of the Interstate 405 and state route number 167
19 express toll lanes account—state appropriation, \$53,000 of the state
20 route number 520 corridor account—state appropriation, \$31,000 of the
21 Tacoma Narrows toll bridge account—state appropriation, and \$26,000
22 of the Alaskan Way viaduct replacement project account—state
23 appropriation are provided solely for the traffic operations
24 program's proportional share of time spent supporting tolling
25 operations for the respective tolling facilities.

26 **Sec. 217.** 2019 c 416 s 217 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
29 **SUPPORT—PROGRAM S**

30	Motor Vehicle Account—State Appropriation	((38,782,000))
31		<u>\$38,251,000</u>
32	Motor Vehicle Account—Federal Appropriation	\$1,380,000
33	Motor Vehicle Account—Private/Local Appropriation	\$500,000
34	Multimodal Transportation Account—State	
35	Appropriation	\$1,129,000
36	<u>State Route Number 520 Corridor Account—State</u>	
37	<u> Appropriation.</u>	<u>\$199,000</u>
38	<u>Tacoma Narrows Toll Bridge Account—State Appropriation.</u>	<u>\$116,000</u>

1	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
2	<u>State Appropriation.</u>	\$100,000
3	<u>Interstate 405 and State Route Number 167 Express</u>	
4	<u>Toll Lanes Account—State Appropriation.</u>	\$119,000
5	TOTAL APPROPRIATION.	((\$41,791,000))
6		<u>\$41,794,000</u>

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

9 (1) \$2,000,000 of the motor vehicle account—state appropriation
10 is provided solely for a grant program that makes awards for the
11 following: (a) Support for nonprofit agencies, churches, and other
12 entities to help provide outreach to populations underrepresented in
13 the current apprenticeship programs; (b) preapprenticeship training;
14 and (c) child care, transportation, and other supports that are
15 needed to help women, veterans, and minorities enter and succeed in
16 apprenticeship. The department must report on grants that have been
17 awarded and the amount of funds disbursed by December 1st each year.
18 If moneys are provided in the omnibus operating appropriations act
19 for a career connected learning grant program, defined in
20 chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or
21 otherwise, the amount provided in this subsection lapses.

22 (2) \$150,000 of the motor vehicle account—state appropriation is
23 provided solely for a user-centered and mobile-compatible web site
24 redesign using estimated web site ad revenues.

25 (3) From the revenues generated by the five dollar per studded
26 tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—
27 state appropriation is provided solely for the department, in
28 consultation with the appropriate local jurisdictions and relevant
29 stakeholder groups, to establish a pilot media-based public
30 information campaign regarding the damage of studded tire use on
31 state and local roadways in Whatcom county, and to continue the
32 existing pilot information campaign in Spokane county. The reason for
33 the geographic selection of Spokane and Whatcom counties is based on
34 the high utilization of studded tires in these jurisdictions. The
35 public information campaigns must primarily focus on making the
36 consumer aware of the safety implications for other drivers, road
37 deterioration, financial impact for taxpayers, and, secondarily, the
38 alternatives to studded tires. The Whatcom county pilot media-based
39 public information campaign must begin by September 1, 2020. By

1 January 14, 2021, the department must provide the transportation
2 committees of the legislature an update on the Spokane and Whatcom
3 county pilot media-based public information campaigns.

4 (4) (~~(\$138,000 of the motor vehicle account state appropriation~~
5 ~~is provided solely for the implementation of chapter (Second~~
6 ~~Substitute Senate Bill No. 5489), Laws of 2019 (concerning~~
7 ~~environmental health disparities). If chapter (Second~~
8 ~~Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June~~
9 ~~30, 2019, the amount provided in this subsection lapses)) \$119,000 of
10 the Interstate 405 and state route number 167 express toll lanes
11 account—state appropriation, \$199,000 of the state route number 520
12 corridor account—state appropriation, \$116,000 of the Tacoma Narrows
13 toll bridge account—state appropriation, and \$100,000 of the Alaskan
14 Way viaduct replacement project account—state appropriation are
15 provided solely for the transportation management and support
16 program's proportional share of time spent supporting tolling
17 operations for the respective tolling facilities.~~

18 **Sec. 218.** 2019 c 416 s 218 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
21 **AND RESEARCH—PROGRAM T**

22 ((High Occupancy)) <u>Interstate 405 and State Route</u>	
23 <u>Number 167 Express Toll Lanes ((Operations))</u>	
24 Account—State Appropriation.	((\$3,000,000))
25	<u>\$3,123,000</u>
26 Motor Vehicle Account—State Appropriation	((\$29,403,000))
27	<u>\$26,587,000</u>
28 Motor Vehicle Account—Federal Appropriation	((\$29,485,000))
29	<u>\$35,385,000</u>
30 Motor Vehicle Account—Private/Local Appropriation.	((\$800,000))
31	<u>\$1,200,000</u>
32 Multimodal Transportation Account—State Appropriation . . .	\$710,000
33 Multimodal Transportation Account—Federal	
34 Appropriation	\$2,809,000
35 Multimodal Transportation Account—Private/Local	
36 Appropriation	\$100,000
37 <u>State Route Number 520 Corridor Account—State</u>	
38 <u>Appropriation.</u>	<u>\$763,000</u>

1	<u>Tacoma Narrows Toll Bridge Account—State Appropriation. . .</u>	<u>\$121,000</u>
2	<u>Alaskan Way Viaduct Replacement Project Account—</u>	
3	<u>State Appropriation.</u>	<u>\$104,000</u>
4	TOTAL APPROPRIATION.	((\$66,307,000))
5		<u>\$70,902,000</u>

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

8 (1) \$130,000 of the motor vehicle account—state appropriation is
9 provided solely for completion of a corridor study to identify
10 potential improvements between exit 116 and exit 99 of Interstate 5.
11 The study should further develop mid- and long-term strategies from
12 the corridor sketch, and identify potential US 101/I-5 interchange
13 improvements, a strategic plan for the Nisqually River bridges,
14 regional congestion relief options, and ecosystem benefits to the
15 Nisqually River estuary for salmon productivity and flood control.

16 (2) The study on state route number 518 referenced in section
17 218(5), chapter 297, Laws of 2018 must be submitted to the
18 transportation committees of the legislature by November 30, 2019.

19 (3) \$100,000 of the motor vehicle account—state appropriation is
20 provided solely to complete the Tacoma mall direct access feasibility
21 study.

22 (4) \$4,600,000 of the motor vehicle account—federal appropriation
23 is provided solely to complete the road usage charge pilot project
24 overseen by the transportation commission using the remaining unspent
25 amount of the federal grant award. The purpose of the road usage
26 charge pilot project is to explore the viability of a road usage
27 charge as a possible replacement for the gas tax.

28 (5) \$3,000,000 of the ~~((high occupancy))~~ Interstate 405 and state
29 route number 167 express toll lanes ((operations)) account—state
30 appropriation is provided solely for updating the state route number
31 167 master plan. If ~~((neither))~~ chapter 421 ~~((Engrossed Substitute~~
32 ~~Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling) ~~((nor~~
33 ~~chapter . . . (House Bill No. 2132),~~ Laws of 2019 (addressing
34 tolling)) is not enacted by June 30, 2019, the amount provided in
35 this subsection lapses.

36 (6) \$123,000 of the Interstate 405 and state route number 167
37 express toll lanes account—state appropriation, \$207,000 of the state
38 route number 520 corridor account—state appropriation, \$121,000 of
39 the Tacoma Narrows toll bridge account—state appropriation, and

1 \$104,000 of the Alaskan Way viaduct replacement project account—state
2 appropriation are provided solely for the transportation planning,
3 data, and research program's proportional share of time spent
4 supporting tolling operations for the respective tolling facilities.

5 (7) By December 31, 2020, the department shall provide to the
6 governor and the transportation committees of the legislature a
7 report examining the feasibility of doing performance-based
8 evaluations for projects. The department must incorporate feedback
9 from stakeholder groups, including traditionally underserved and
10 historically disadvantaged populations, and the report shall include
11 the project evaluation procedures that would be used for the
12 performance-based evaluation.

13 (8) \$556,000 of the state route number 520 corridor account—state
14 appropriation is provided solely for the department to contract with
15 the University of Washington department of mechanical engineering, to
16 study measures to reduce noise impacts from the state route number
17 520 bridge expansion joints. The field testing shall be scheduled
18 during existing construction, maintenance, or other scheduled
19 closures to minimize impacts. The testing must also ensure safety of
20 the traveling public. The study shall examine testing methodologies
21 and project timelines and costs. A final report must be submitted to
22 the transportation committees of the legislature and the governor by
23 December 1, 2021.

24 (9) \$5,900,000 of the motor vehicle account—federal appropriation
25 and \$400,000 of the motor vehicle account—private/local appropriation
26 are provided solely for delivery of the department's state planning
27 and research work program and pooled fund research projects, provided
28 that the department may not expend any amounts provided in this
29 section on a long-range plan or corridor scenario analysis for I-5
30 from Tumwater to Marysville. This is not intended to reference or
31 impact: The existing I-5 corridor from Mounts road to Tumwater design
32 and operations alternatives analysis; design studies related to HOV
33 lanes or operations; or where it is necessary to continue design and
34 operations analysis related to projects already under development.

35 **Sec. 219.** 2019 c 416 s 219 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
38 **PROGRAM U**

1	Motor Vehicle Account—State Appropriation	((\$71,996,000))
2		<u>\$79,474,000</u>
3	Multimodal Transportation Account—State	
4	Appropriation	((\$2,491,000))
5		<u>\$2,833,000</u>
6	<u>Interstate 405 and State Route Number 167 Express</u>	
7	<u>Toll Lanes Account—State Appropriation.</u>	<u>\$122,000</u>
8	<u>State Route Number 520 Corridor Account—State</u>	
9	<u>Appropriation.</u>	<u>\$205,000</u>
10	<u>Tacoma Narrows Toll Bridge Account—State</u>	
11	<u>Appropriation.</u>	<u>\$120,000</u>
12	<u>Alaskan Way Viaduct Replacement Project Account—State</u>	
13	<u>Appropriation.</u>	<u>\$102,000</u>
14	TOTAL APPROPRIATION.	((\$74,487,000))
15		<u>\$82,856,000</u>

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

18 (1) ((~~Prior to entering into~~)) Consistent with existing protocol
19 and practices, for any negotiated settlement of a claim against the
20 state for the department that exceeds five million dollars, the
21 department, in conjunction with the attorney general and the
22 department of enterprise services, shall notify the director of the
23 office of financial management and the transportation committees of
24 the legislature.

25 (2) Beginning October 1, 2019, and quarterly thereafter, the
26 department, in conjunction with the attorney general and the
27 department of enterprise services, shall provide a report with
28 judgments and settlements dealing with the Washington state ferry
29 system to the director of the office of financial management and the
30 transportation committees of the legislature. The report must include
31 information on: (a) The number of claims and settlements by type; (b)
32 the average claim and settlement by type; (c) defense costs
33 associated with those claims and settlements; and (d) information on
34 the impacts of moving legal costs associated with the Washington
35 state ferry system into the statewide self-insurance pool.

36 (3) Beginning October 1, 2019, and quarterly thereafter, the
37 department, in conjunction with the attorney general and the
38 department of enterprise services, shall provide a report with
39 judgments and settlements dealing with the nonferry operations of the

1 department to the director of the office of financial management and
2 the transportation committees of the legislature. The report must
3 include information on: (a) The number of claims and settlements by
4 type; (b) the average claim and settlement by type; and (c) defense
5 costs associated with those claims and settlements.

6 (4) \$122,000 of the Interstate 405 and state route number 167
7 express toll lanes account—state appropriation, \$205,000 of the state
8 route number 520 corridor account—state appropriation, \$120,000 of
9 the Tacoma Narrows toll bridge account—state appropriation, and
10 \$102,000 of the Alaskan Way viaduct replacement project account—state
11 appropriation are provided solely for the charges from other
12 agencies' program's proportional share of supporting tolling
13 operations for the respective tolling facilities.

14 (5) When the department identifies significant legal issues that
15 have potential transportation budget implications, the department
16 must initiate a briefing for appropriate legislative members or staff
17 through the office of the attorney general and its legislative
18 briefing protocol.

19 *Sec. 220. 2019 c 416 s 220 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

22 State Vehicle Parking Account—State Appropriation	\$784,000
23 Regional Mobility Grant Program Account—State	
24 Appropriation	((\$96,630,000))
25	<u>\$88,698,000</u>
26 Rural Mobility Grant Program Account—State	
27 Appropriation	\$32,223,000
28 Multimodal Transportation Account—State	
29 Appropriation	((\$128,554,000))
30	<u>\$122,355,000</u>
31 Multimodal Transportation Account—Federal	
32 Appropriation	\$3,574,000
33 Multimodal Transportation Account—Local	
34 Appropriation	\$100,000
35 TOTAL APPROPRIATION.	((\$261,865,000))
36	<u>\$247,734,000</u>

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

1 (1) (~~(\$62,679,000)~~) \$62,698,000 of the multimodal transportation
2 account—state appropriation is provided solely for a grant program
3 for special needs transportation provided by transit agencies and
4 nonprofit providers of transportation. (~~(If chapter 287 (Engrossed~~
5 ~~Second Substitute House Bill No. 2042), Laws of 2019 (advancing green~~
6 ~~transportation adoption) is not enacted by June 30, 2019, \$10,000,000~~
7 ~~of the amount in this subsection lapses.)~~) Of this amount:

8 (a) (~~(\$14,278,000)~~) \$14,297,000 of the multimodal transportation
9 account—state appropriation is provided solely for grants to
10 nonprofit providers of special needs transportation. Grants for
11 nonprofit providers must be based on need, including the availability
12 of other providers of service in the area, efforts to coordinate
13 trips among providers and riders, and the cost effectiveness of trips
14 provided. (~~(If chapter 287 (Engrossed Second Substitute House Bill~~
15 ~~No. 2042), Laws of 2019 (advancing green transportation adoption) is~~
16 ~~not enacted by June 30, 2019, \$2,278,000 of the amount in this~~
17 ~~subsection lapses.)~~)

18 (b) \$48,401,000 of the multimodal transportation account—state
19 appropriation is provided solely for grants to transit agencies to
20 transport persons with special transportation needs. To receive a
21 grant, the transit agency must, to the greatest extent practicable,
22 have a maintenance of effort for special needs transportation that is
23 no less than the previous year's maintenance of effort for special
24 needs transportation. Grants for transit agencies must be prorated
25 based on the amount expended for demand response service and route
26 deviated service in calendar year 2017 as reported in the "Summary of
27 Public Transportation - 2017" published by the department of
28 transportation. No transit agency may receive more than thirty
29 percent of these distributions. (~~(If chapter 287 (Engrossed Second~~
30 ~~Substitute House Bill No. 2042), Laws of 2019 (advancing green~~
31 ~~transportation adoption) is not enacted by June 30, 2019, \$7,722,000~~
32 ~~of the amount in this subsection lapses.)~~)

33 (2) \$32,223,000 of the rural mobility grant program account—state
34 appropriation is provided solely for grants to aid small cities in
35 rural areas as prescribed in RCW 47.66.100.

36 (3) (a) (~~(\$10,290,000)~~) \$10,539,000 of the multimodal
37 transportation account—state appropriation is provided solely for a
38 vanpool grant program for: (i) Public transit agencies to add
39 vanpools or replace vans; and (ii) incentives for employers to

1 increase employee vanpool use. The grant program for public transit
2 agencies will cover capital costs only; operating costs for public
3 transit agencies are not eligible for funding under this grant
4 program. Additional employees may not be hired from the funds
5 provided in this section for the vanpool grant program, and
6 supplanting of transit funds currently funding vanpools is not
7 allowed. The department shall encourage grant applicants and
8 recipients to leverage funds other than state funds.

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

11 (4) (~~(\$18,951,000)~~) \$27,483,000 of the regional mobility grant
12 program account—state appropriation is reappropriated and provided
13 solely for the regional mobility grant projects identified in LEAP
14 Transportation Document ((~~2019-2~~)) 2020-2 ALL PROJECTS as developed
15 ((~~April 27, 2019~~)) March 11, 2020, Program - Public Transportation
16 Program (V).

17 (5) (a) (~~(\$77,679,000)~~) \$61,215,000 of the regional mobility grant
18 program account—state appropriation is provided solely for the
19 regional mobility grant projects identified in LEAP Transportation
20 Document ((~~2019-2~~)) 2020-2 ALL PROJECTS as developed ((~~April 27,~~
21 ~~2019~~)) March 11, 2020, Program - Public Transportation Program (V).
22 The department shall review all projects receiving grant awards under
23 this program at least semiannually to determine whether the projects
24 are making satisfactory progress. Any project that has been awarded
25 funds, but does not report activity on the project within one year of
26 the grant award, must be reviewed by the department to determine
27 whether the grant should be terminated. The department shall promptly
28 close out grants when projects have been completed, and any remaining
29 funds must be used only to fund projects identified in the LEAP
30 transportation document referenced in this subsection. The department
31 shall provide annual status reports on December 15, 2019, and
32 December 15, 2020, to the office of financial management and the
33 transportation committees of the legislature regarding the projects
34 receiving the grants. It is the intent of the legislature to
35 appropriate funds through the regional mobility grant program only
36 for projects that will be completed on schedule. A grantee may not
37 receive more than twenty-five percent of the amount appropriated in
38 this subsection. Additionally, when allocating funding for the
39 2021-2023 biennium, no more than thirty percent of the total grant
40 program may directly benefit or support one grantee. The department

1 shall not approve any increases or changes to the scope of a project
2 for the purpose of a grantee expending remaining funds on an awarded
3 grant.

4 (b) In order to be eligible to receive a grant under (a) of this
5 subsection during the 2019-2021 fiscal biennium, a transit agency
6 must establish a process for private transportation providers to
7 apply for the use of park and ride facilities. For purposes of this
8 subsection, (i) "private transportation provider" means: An auto
9 transportation company regulated under chapter 81.68 RCW; a passenger
10 charter carrier regulated under chapter 81.70 RCW, except marked or
11 unmarked stretch limousines and stretch sport utility vehicles as
12 defined under department of licensing rules; a private nonprofit
13 transportation provider regulated under chapter 81.66 RCW; or a
14 private employer transportation service provider; and (ii) "private
15 employer transportation service" means regularly scheduled, fixed-
16 route transportation service that is offered by an employer for the
17 benefit of its employees.

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

21 (7) \$7,670,000 of the multimodal transportation account—state
22 appropriation and \$784,000 of the state vehicle parking account—state
23 appropriation are provided solely for CTR grants and activities. Of
24 this amount:

25 (a) \$1,000,000 of the multimodal transportation account—state
26 appropriation is provided solely for the department to continue a
27 pilot transit pass incentive program. Businesses and nonprofit
28 organizations located in a county adjacent to Puget Sound with a
29 population of more than seven hundred thousand that have never
30 offered transit subsidies to employees are eligible to apply to the
31 program for a fifty percent rebate on the cost of employee transit
32 subsidies provided through the regional ORCA fare collection system.
33 No single business or nonprofit organization may receive more than
34 ten thousand dollars from the program.

35 (i) Businesses and nonprofit organizations may apply and be
36 awarded funds prior to purchasing a transit subsidy, but the
37 department may not provide reimbursement until proof of purchase or a
38 contract has been provided to the department.

1 (ii) The department shall update the transportation committees of
2 the legislature on the impact of the program by January 31, 2020, and
3 may adopt rules to administer the program.

4 (b) \$30,000 of the state vehicle parking account—state
5 appropriation is provided solely for the STAR pass program for state
6 employees residing in Mason and Grays Harbor Counties. Use of the
7 pass is for public transportation between Mason County and Thurston
8 County, and Grays Harbor and Thurston County. The pass may also be
9 used within Grays Harbor County. The STAR pass commute trip reduction
10 program is open to any state employee who expresses intent to commute
11 to his or her assigned state worksite using a public transit system
12 currently participating in the STAR pass program.

13 (c) \$1,000,000 of the multimodal transportation account—state
14 appropriation is provided solely for a first mile/last mile
15 connections grant program. Eligible grant recipients include cities,
16 businesses, nonprofits, and transportation network companies with
17 first mile/last mile solution proposals. Transit agencies are not
18 eligible. The commute trip reduction board shall develop grant
19 parameters, evaluation criteria, and evaluate grant proposals. The
20 commute trip reduction board shall provide the transportation
21 committees of the legislature a report on the effectiveness of this
22 grant program and best practices for continuing the program.

23 (8) Except as provided otherwise in this subsection,
24 (~~(\$28,048,000)~~) \$33,370,000 of the multimodal transportation account—
25 state appropriation is provided solely for connecting Washington
26 transit projects identified in LEAP Transportation Document
27 (~~(2019-2)~~) 2020-2 ALL PROJECTS as developed (~~(April 27, 2019)~~) March
28 11, 2020. It is the intent of the legislature that entities
29 identified to receive funding in the LEAP document referenced in this
30 subsection receive the amounts specified in the time frame specified
31 in that LEAP document. If an entity has already completed a project
32 in the LEAP document referenced in this subsection before the time
33 frame identified, the entity may substitute another transit project
34 or projects that cost a similar or lesser amount.

35 (9) (~~(\$2,000,000)~~) \$1,000,000 of the multimodal transportation
36 account—state appropriation is provided solely for transit
37 coordination grants.

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

1 (11)(a) For projects funded as part of the 2015 connecting
2 Washington transportation package listed on the LEAP transportation
3 document identified in subsection (4) of this section, if the
4 department expects to have substantial reappropriations for the
5 2021-2023 fiscal biennium, the department may, on a pilot basis,
6 apply funding from a project with an appropriation that cannot be
7 used for the current fiscal biennium to advance one or more of the
8 following projects:

9 (i) King County Metro - RapidRide Expansion, Burien-Delridge
10 (G2000031);

11 (ii) King County Metro - Route 40 Northgate to Downtown
12 (G2000032);

13 (iii) Mason Transit Park & Ride Development (G2000042); or

14 (iv) Pierce Transit - SR 7 Express Service (~~(G2000046)~~)
15 (G2000045).

16 (b) At least ten business days before advancing a project
17 pursuant to this subsection, the department must notify the office of
18 financial management and the transportation committees of the
19 legislature. The advancement of a project may not hinder the delivery
20 of the projects for which the reappropriations are necessary for the
21 2021-2023 fiscal biennium.

22 (c) To the extent practicable, the department shall use the
23 flexibility and authority granted in this section to minimize the
24 amount of reappropriations needed each biennium.

25 (12) \$750,000 of the multimodal transportation account—state
26 appropriation is provided solely for Intercity Transit for the Dash
27 shuttle program.

28 (13)(a) \$485,000 of the multimodal transportation account—state
29 appropriation is provided solely for King county for:

30 (i) An expanded pilot program to provide certain students in the
31 Highline, Tukwila, and Lake Washington school districts with an ORCA
32 card during these school districts' summer vacations. In order to be
33 eligible for an ORCA card under this program, a student must also be
34 in high school, be eligible for free and reduced-price lunches, and
35 have a job or other responsibility during the summer; and

36 (ii) Providing administrative support to other interested school
37 districts in King county to prepare for implementing similar programs
38 for their students.

1 (b) King county must provide a report to the department and the
2 transportation committees of the legislature by December 15, 2021,
3 regarding:

4 (i) The annual student usage of the pilot program;

5 (ii) Available ridership data;

6 (iii) A cost estimate, including a detailed description of the
7 various expenses leading to the cost estimate, and any other factors
8 relevant to expanding the program to other King county school
9 districts;

10 (iv) A cost estimate, including a detailed description of the
11 various expenses leading to the cost estimate, and any other factors
12 relevant to expanding the program to student populations other than
13 high school or eligible for free and reduced-price lunches;

14 (v) Opportunities for subsidized ORCA cards or local grant or
15 matching funds; and

16 (vi) Any additional information that would help determine if the
17 pilot program should be extended or expanded.

18 (14) \$12,000,000 of the multimodal transportation account—state
19 appropriation is provided solely for the green transportation capital
20 grant program established in chapter 287 (~~((Engrossed—Second
21 Substitute House Bill No. 2042))~~), Laws of 2019 (advancing green
22 transportation adoption). (~~((If—chapter—287—(Engrossed—Second
23 Substitute House Bill No. 2042), Laws of 2019 is not enacted by June
24 30, 2019, the amount provided in this subsection lapses.))~~)

25 (15) \$555,000 of the multimodal transportation account—state
26 appropriation is provided solely for an interagency transfer to the
27 Washington State University extension energy program to establish and
28 administer a technical assistance and education program for public
29 agencies on the use of alternative fuel vehicles. (~~((If—chapter—287
30 (Engrossed—Second—Substitute—House—Bill—No.—2042), Laws of 2019
31 (advancing green transportation adoption) is not enacted by June 30,
32 2019, \$375,000 of the amount provided in this subsection lapses.))~~)

33 **(16) As a short-term solution, appropriation authority for the**
34 **public transportation program in this section is reduced to reflect**
35 **anticipated underruns in this program, based on historical**
36 **reappropriation levels. It is the intent of the legislature that no**
37 **public transportation grants or projects be eliminated or**
38 **substantially delayed as a result of revenue reductions.**

39 (17) The appropriations in this section include savings due to
40 anticipated project underruns; however, it is unknown which projects

1 will provide savings. The legislature intends to provide sufficient
2 flexibility for the department to manage to this savings target. To
3 provide this flexibility, the office of financial management may
4 authorize, through an allotment modification, reductions in the
5 appropriated amounts that are provided solely for a particular
6 purpose within this section subject to the following conditions and
7 limitations:

8 (a) No allotment modifications may be made to amounts provided
9 solely for the special needs transportation grant program;

10 (b) The department must confirm that any modification requested
11 under this subsection of amounts provided solely for a specific
12 purpose are not expected to be used for that purpose in this
13 biennium;

14 (c) Allotment modifications authorized under this subsection may
15 not result in increased funding for any project beyond the amount
16 provided for that project in the 2019-2021 fiscal biennium in LEAP
17 Transportation Document 2020-2 ALL PROJECTS as developed March 11,
18 2020;

19 (d) Allotment modifications authorized under this subsection
20 apply only to amounts appropriated in this section from the
21 multimodal transportation account—state; and

22 (e) By December 1, 2020, the department must submit a report to
23 the transportation committees of the legislature regarding the
24 actions taken under this subsection.

25 (18) (a) The Washington state department of transportation public
26 transportation division, working with the Thurston regional planning
27 council, shall provide state agency management, the office of
28 financial management, and the transportation committees of the
29 legislature with results of their regional mobility grant program
30 demonstration project I-5/US 101 Practical Solutions: State Capitol
31 Campus Transportation Demand Management - Mobile Work. This includes
32 reporting after the 2020 legislative session on the measurable
33 results of an early pilot initiative, "Telework Tuesday," beginning
34 in January 2020.

35 (b) Capitol campus state agency management is directed to fully
36 participate in this work, which aims to reduce greenhouse gases,
37 require less office space and parking investments; provide low cost
38 congestion relief on I-5 during peak periods, US 101, and the local
39 transportation network; and improve retention and recruitment of
40 public employees. The agencies should actively: Encourage employees

1 qualified to telework to participate in this program and increase the
2 number of employees who qualify for mobile work and schedule shifts.

3 (c) If measurable success is achieved, the capitol campus state
4 agencies shall provide options to expand the project to other
5 jurisdictions concentrated with large employers. Expansion and
6 encouragement of telework will help reduce demand on the
7 transportation system, reduce traffic during peak hours, and reduce
8 greenhouse gas emissions.

***Sec. 220 is partially vetoed. See message at end of chapter.**

9 **Sec. 221.** 2019 c 416 s 221 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

12	Motor Vehicle Account—State Appropriation.	\$250,000
13	Puget Sound Ferry Operations Account—State	
14	Appropriation	((\$540,746,000))
15		<u>\$545,997,000</u>
16	Puget Sound Ferry Operations Account—Federal	
17	Appropriation	\$7,932,000
18	Puget Sound Ferry Operations Account—Private/Local	
19	Appropriation	\$121,000
20	TOTAL APPROPRIATION.	((\$549,049,000))
21		<u>\$554,300,000</u>

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

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

33 (2) For the 2019-2021 fiscal biennium, the department may enter
34 into a distributor controlled fuel hedging program and other methods
35 of hedging approved by the fuel hedging committee, which must include
36 a representative of the department of enterprise services.

1 (3) (~~(\$76,261,000)~~) \$73,161,000 of the Puget Sound ferry
2 operations account—state appropriation is provided solely for auto
3 ferry vessel operating fuel in the 2019-2021 fiscal biennium, which
4 reflect cost savings from a reduced biodiesel fuel requirement and,
5 therefore, is contingent upon the enactment of section 703 (~~(of this~~
6 ~~act)~~), chapter 416, Laws of 2019. The amount provided in this
7 subsection represents the fuel budget for the purposes of calculating
8 any ferry fare fuel surcharge. The department shall review future use
9 of alternative fuels and dual fuel configurations, including
10 hydrogen.

11 (4) \$650,000 of the Puget sound ferry operations account—state
12 appropriation is provided solely for increased staffing at Washington
13 ferry terminals to meet increased workload and customer expectations.
14 Within the amount provided in this subsection, the department shall
15 contract with uniformed officers for additional traffic control
16 assistance at the Kingston ferry terminal during peak ferry travel
17 times, with a particular focus on Sundays and holiday weekends.
18 Traffic control methods should include, but not be limited to,
19 holding traffic on the shoulder at Lindvog Road until space opens for
20 cars at the tollbooths and dock, and management of traffic on Highway
21 104 in order to ensure Kingston residents and business owners have
22 access to businesses, roads, and driveways.

23 (5) \$254,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely for a dedicated inventory logistics
25 manager on a one-time basis.

26 (6) \$500,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely for operating costs related to
28 moving vessels for emergency capital repairs. Funds may only be spent
29 after approval by the office of financial management.

30 (7) By January 1, 2020, the ferries division must submit a
31 workforce plan for reducing overtime due to shortages of staff
32 available to fill vacant crew positions. The plan must include
33 numbers of crew positions being filled by staff working overtime,
34 strategies for filling these positions with straight time employees,
35 progress toward implementing those strategies, and a forecast for
36 when overtime expenditures will return to historical averages.

37 (8) \$160,000 of the Puget Sound ferry operations account—state
38 appropriation is provided solely for a ferry fleet baseline noise
39 study, conducted by a consultant, for the purpose of establishing

1 plans and data-driven goals to reduce ferry noise when Southern
2 resident orca whales are present. In addition, the study must
3 establish prioritized strategies to address vessels serving routes
4 with the greatest exposure to orca whale movements.

5 (9) (a) \$250,000 of the motor vehicle account—state appropriation
6 is provided solely for the department, in consultation with the
7 Washington state transportation center, to develop a plan for service
8 on the triangle route with a goal of providing maximum sailings
9 moving the most passengers to all stops in the least travel time,
10 including waits between sailings, within budget and resource
11 constraints.

12 (b) The Washington state transportation center must use new
13 traffic management models and scheduling tools to examine proposed
14 improvements for the triangle route. The department shall report to
15 the standing transportation committees of the legislature by January
16 15, 2021. The report must include:

17 (i) Implementation and status of data collection, modeling,
18 scheduling, capital investments, and procedural improvements to allow
19 Washington state ferries to schedule more sailings to and from all
20 stops on the triangle route with minimum time between sailings;

21 (ii) Recommendations for emergency boat allocations, regular
22 schedule policies, and emergency schedule policies based on all
23 customers alternative travel options to ensure that any dock with no
24 road access is prioritized in scheduling and scheduled service is
25 provided based on population size, demographics, and local medical
26 services;

27 (iii) Triangle route pilot economic analysis of Washington state
28 ferries fare revenue and fuel cost impact of offering additional,
29 better spaced sailings;

30 (iv) Results of an economic analysis of the return on investment
31 of potentially acquiring and using traffic control infrastructure,
32 technology, walk on loading bridges, and Good-to-Go and ORCA
33 replacement of current fare sales, validation, collections,
34 accounting, and all associated labor and benefits costs that can be
35 saved via those capital investments; and

36 (v) Recommendation on policies, procedures, or agency
37 interpretations of statute that may be adopted to mitigate any delays
38 or disruptions to scheduled sailings.

39 ~~((c) If at least \$50,000,000 is not made available, by means of~~
40 ~~transfer, deposit, appropriation, or other similar conveyance, to the~~

1 ~~motor vehicle account for stormwater-related activities through the~~
2 ~~enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),~~
3 ~~Laws of 2019 (model toxics control program reform) by June 30, 2019,~~
4 ~~the amount provided in this subsection (9) lapses.)~~

5 (10) \$15,139,000 of the Puget Sound ferry operations account—
6 state appropriation is provided solely for training. Of the amount
7 provided in this subsection:

8 (a) \$2,500,000 is for training for new employees.

9 (b) \$160,000 is for electronic chart display and information
10 system training.

11 (c) \$379,000 is for marine evacuation slide training.

12 (11) \$1,600,000 of the Puget Sound ferry operations account—state
13 appropriation is provided solely for naval architecture staff support
14 for the marine maintenance program.

15 (12) \$336,000 of the Puget Sound ferry operations account—state
16 appropriation is provided solely for inspections of fall restraint
17 systems.

18 (13) \$4,361,000 of the Puget Sound ferry operations account—state
19 appropriation is provided solely for overtime expenses incurred by
20 engine and deck crew members.

21 (14) \$1,200,000 of the Puget Sound ferry operations account—state
22 appropriation is provided solely for familiarization for new
23 assignments of engine crew and terminal staff.

24 (15) \$100,000 of the Puget Sound ferry operations account—state
25 appropriation is provided solely to develop a plan for upgrading a
26 second vessel to meet the international convention for the safety of
27 life at sea standards. The plan must identify the option with the
28 lowest impacts to sailing schedules.

29 **Sec. 222.** 2019 c 416 s 222 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

32 Multimodal Transportation Account—State

33 Appropriation ((\$75,576,000))

34 \$70,244,000

35 Multimodal Transportation Account—Private/Local

36 Appropriation \$717,000

37 Multimodal Transportation Account—Federal

38 Appropriation \$500,000

1 TOTAL APPROPRIATION. ((\$76,793,000))
2 \$71,461,000

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

5 (1) (a) (i) \$224,000 of the multimodal transportation account—state
6 appropriation and \$671,000 of the multimodal transportation account—
7 private/local appropriation are provided solely for continued
8 analysis of the ultra high-speed ground transportation corridor in a
9 new study, with participation from Washington, Oregon, and British
10 Columbia. No funds may be expended until the department is in receipt
11 of \$671,000 in private/local funding provided solely for this
12 purpose.

13 (ii) The ultra high-speed ground transportation corridor advisory
14 group must include legislative membership.

15 (iii) "Ultra high-speed" means a maximum testing speed of at
16 least two hundred fifty miles per hour.

17 (b) The study must consist of the following:

18 (i) Development of proposed corridor governance, general powers,
19 operating structure, legal instruments, and contracting requirements,
20 in the context of the roles of relevant jurisdictions, including
21 federal, state, provincial, and local governments;

22 ~~((An assessment of current laws in state and provincial~~
23 ~~jurisdictions and identification of any proposed changes to laws,~~
24 ~~regulations, and/or agreements that are needed to proceed with~~
25 ~~development)) Development of a long-term funding and financing
26 strategy for project initiation, development, construction, and
27 program administration of the high-speed corridor, building on the
28 funding and financing chapter of the 2019 business case analysis and
29 aligned with the recommendations of (b) (i) of this subsection; and~~

30 (iii) Development of ~~((general recommendations for the~~
31 ~~authorization needed to advance the development of the corridor))~~
32 recommendations for a department-led ultra-high speed corridor
33 engagement plan for policy leadership from elected officials.

34 (c) This study must build on the results of the 2018 Washington
35 state ultra high-speed ground transportation business case analysis
36 and the 2019 Washington state ultra high-speed ground transportation
37 study findings report. The department shall consult with the
38 transportation committees of the legislature regarding all issues
39 related to proposed corridor governance.

1 (~~(e)~~) (d) The development work referenced in (b) of this
2 subsection is intended to identify and make recommendations related
3 to specific entities, including interjurisdictional entities,
4 policies, and processes required for the purposes of furthering
5 preliminary analysis efforts for the ultra high-speed ground
6 transportation corridor. This development work is not intended to
7 authorize one or more entities to assume decision making authority
8 for the design, construction, or operation of an ultra high-speed
9 rail corridor.

10 (~~(d)~~) (e) By December 1, 2020, the department shall provide to
11 the governor and the transportation committees of the legislature a
12 report of the study's findings regarding the three elements noted in
13 this subsection. As applicable, the report should also be sent to the
14 executive and legislative branches of government in the state of
15 Oregon and appropriate government bodies in the province of British
16 Columbia.

17 (2) The department is directed to continue to pursue efforts to
18 reduce costs, increase ridership, and review Amtrak Cascades fares
19 and fare schedules. Within thirty days of each annual cost/revenue
20 reconciliation under the Amtrak service contract, the department
21 shall report annual credits to the office of financial management and
22 the legislative transportation committees. Annual credits from Amtrak
23 to the department including, but not limited to, credits due to
24 higher ridership, reduced level of service, and fare or fare schedule
25 adjustments, must be used to offset corresponding amounts of the
26 multimodal transportation account—state appropriation, which must be
27 placed in reserve.

28 **Sec. 223.** 2019 c 416 s 223 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
31 **OPERATING**

32 Motor Vehicle Account—State Appropriation	((\$12,190,000))
	<u>\$12,187,000</u>
34 Motor Vehicle Account—Federal Appropriation	\$2,567,000
35 Multiuse Roadway Safety Account—State Appropriation	((\$132,000))
	<u>\$450,000</u>
37 Multimodal Transportation Account—State	
38 Appropriation	\$350,000

1 TOTAL APPROPRIATION. ((~~\$15,239,000~~))
2 \$15,554,000

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

5 (1) \$350,000 of the multimodal transportation account—state
6 appropriation is provided solely for a study by the Puget Sound
7 regional council of new passenger ferry service to better connect
8 communities throughout the twelve county Puget Sound region. The
9 study must assess potential new routes, identify future terminal
10 locations, and provide recommendations to accelerate the
11 electrification of the ferry fleet. The study must identify future
12 passenger only demand throughout Western Washington, analyze
13 potential routes and terminal locations on Puget Sound, Lake
14 Washington, and Lake Union with an emphasis on preserving waterfront
15 opportunities in public ownership and opportunities for partnership.
16 The study must determine whether and when the passenger ferry service
17 achieves a net reduction in carbon emissions including an analysis of
18 the emissions of modes that passengers would otherwise have used. The
19 study must estimate capital and operating costs for routes and
20 terminals. The study must include early and continuous outreach with
21 all interested stakeholders and a report to the legislature and all
22 interested parties by January 31, 2021.

23 (2) \$1,142,000 of the motor vehicle account—state appropriation
24 is provided solely for the department, from amounts set aside out of
25 statewide fuel taxes distributed to counties according to RCW
26 46.68.120(3), to contract with the Washington state association of
27 counties to:

28 (a) In coordination with stakeholders, identify county-owned fish
29 passage barriers, with priority given to barriers that share the same
30 stream system as state-owned fish passage barriers. The study must
31 identify, map, and provide a preliminary assessment of county-owned
32 barriers that need correction, and provide, where possible,
33 preliminary costs estimates for each barrier correction. The study
34 must provide recommendations on:

35 (i) How to prioritize county-owned barriers within the same
36 stream system of state-owned barriers in the current six-year
37 construction plan to maximize state investment; and

38 (ii) How future state six-year construction plans should
39 incorporate county-owned barriers;

1 (b) Update the local agency guidelines manual, including
2 exploring alternatives within the local agency guidelines manual on
3 county priorities;

4 (c) Study the current state of county transportation funding,
5 identify emerging issues, and identify potential future alternative
6 transportation fuel funding sources to meet current and future needs.

7 (3) The entire multiuse roadway safety account—state
8 appropriation is provided solely for grants under RCW 46.09.540,
9 subject to the following limitations:

10 (a) Twenty-five percent of the amounts provided are reserved for
11 counties that each have a population of fifteen thousand persons or
12 less;

13 (b) (i) Seventy-five percent of the amounts provided are reserved
14 for counties that each have a population exceeding fifteen thousand
15 persons; and

16 (ii) No county that receives a grant or grants under (b) of this
17 subsection may receive more than sixty thousand dollars in total
18 grants.

19 **TRANSPORTATION AGENCIES—CAPITAL**

20 *Sec. 301. 2019 c 416 s 301 (uncodified) is amended to read as
21 follows:

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

23	Freight Mobility Investment Account—State	
24	Appropriation	((\$18,094,000))
25		<u>\$23,015,000</u>
26	<u>Highway Safety Account—State Appropriation.</u>	<u>\$81,000</u>
27	<u>Motor Vehicle Account—State Appropriation.</u>	<u>\$4,907,000</u>
28	Freight Mobility Multimodal Account—State	
29	Appropriation	((\$21,220,000))
30		<u>\$4,992,000</u>
31	Motor Vehicle Account—Federal Appropriation	((\$2,250,000))
32		<u>\$1,899,000</u>
33	Freight Mobility Multimodal Account—Private/Local	
34	Appropriation	((\$1,320,000))
35		<u>\$1,250,000</u>
36	TOTAL APPROPRIATION.	((\$42,884,000))
37		<u>\$36,144,000</u>

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

3 (1) Except as otherwise provided in this section, the entire
4 appropriations in this section are provided solely for the projects
5 by amount, as listed in the LEAP Transportation Document (~~(2019-3 as~~
6 ~~developed April 27, 2019,)~~ 2020-3 as developed March 11, 2020,
7 Conference FMSIB Project List.

8 (2) Until directed by the legislature, the board may not initiate
9 a new call for projects. By January 1, 2020, the board must report to
10 the legislature on alternative proposals to revise its project award
11 and obligation process, which result in lower reappropriations.

12 (3) It is the intent of the legislature that no capital projects
13 be eliminated or substantially delayed as a result of revenue
14 reductions, but that as a short-term solution appropriation authority
15 for the freight mobility strategic investment board's capital grant
16 programs is reduced to reflect anticipated underruns in this program,
17 based on historical reappropriation levels.

18 (4) It is the intent of the legislature to continue to make
19 strategic investments in a statewide freight mobility transportation
20 system with the help of the freight mobility strategic investment
21 board, including projects that mitigate the impact of freight
22 movement on local communities.

**Sec. 301 is partially vetoed. See message at end of chapter.*

23 *Sec. 302. 2019 c 416 s 303 (uncodified) is amended to read as
24 follows:

25 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

26 Rural Arterial Trust Account—State Appropriation	((\$65,996,000))
	<u>\$62,884,000</u>
27	
28 Motor Vehicle Account—State Appropriation	\$1,456,000
29 County Arterial Preservation Account—State	
30 Appropriation	\$39,590,000
31 TOTAL APPROPRIATION.	((\$107,042,000))
32	<u>\$103,930,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations: It is the intent of the legislature that
35 no capital projects be eliminated or substantially delayed as a
36 result of revenue reductions, but that as a short-term solution
37 appropriation authority for the county road administration board's

1 capital grant programs is reduced to reflect anticipated underruns in
2 this program, based on historical reappropriation levels.

*Sec. 302 is partially vetoed. See message at end of chapter.

3 *Sec. 303. 2019 c 416 s 304 (uncodified) is amended to read as
4 follows:

5 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

6 Small City Pavement and Sidewalk Account—State

7 Appropriation \$5,890,000

8 Transportation Improvement Account—State

9 Appropriation ((~~\$228,510,000~~))

10 \$224,568,000

11 Complete Streets Grant Program Account—State

12 Appropriation ((~~\$14,670,000~~))

13 \$10,200,000

14 TOTAL APPROPRIATION. ((~~\$249,070,000~~))

15 \$240,658,000

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

18 (1) \$9,315,000 of the transportation improvement account—state
19 appropriation is provided solely for the Relight Washington Program.
20 The transportation improvement board shall conduct a survey of all
21 cities that are not currently eligible for the Relight Washington
22 Program to determine demand for the program regardless of the current
23 eligibility criteria. The transportation improvement board shall
24 report the results of the survey to the governor and the
25 transportation committees of the legislature by August 1, 2020.

26 (2) It is the intent of the legislature that no capital projects
27 be eliminated or substantially delayed as a result of revenue
28 reductions, but that as a short-term solution appropriation authority
29 for the transportation improvement board's capital grant programs is
30 reduced to reflect anticipated underruns in this program, based on
31 historical reappropriation levels.

*Sec. 303 is partially vetoed. See message at end of chapter.

32 **Sec. 304.** 2019 c 416 s 305 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—**
35 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

1	Motor Vehicle Account—State Appropriation	((\$50,990,000))
2		<u>\$51,187,000</u>
3	Connecting Washington Account—State Appropriation . .	((\$42,497,000))
4		<u>\$51,523,000</u>
5	TOTAL APPROPRIATION.	((\$93,487,000))
6		<u>\$102,710,000</u>

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

9 (1) ((~~\$42,497,000~~)) \$51,523,000 of the connecting Washington
10 account—state appropriation is provided solely for a new Olympic
11 region maintenance and administration facility to be located on the
12 department-owned site at the intersection of Marvin Road and 32nd
13 Avenue in Lacey, Washington.

14 (2) (a) ((~~\$43,100,000~~)) \$43,297,000 of the motor vehicle account—
15 state appropriation is provided solely for the department facility
16 located at 15700 Dayton Ave N in Shoreline. This appropriation is
17 contingent upon the department of ecology signing a not less than
18 twenty-year agreement to pay a share of any financing contract issued
19 pursuant to chapter 39.94 RCW.

20 (b) Payments from the department of ecology as described in this
21 subsection shall be deposited into the motor vehicle account.

22 (c) Total project costs are not to exceed \$46,500,000.

23 (3) \$1,565,000 from the motor vehicle account—state appropriation
24 is provided solely for furniture for the renovated Northwest Region
25 Headquarters at Dayton Avenue. The department must efficiently
26 furnish the renovated building. ((~~The amount provided in this~~
27 ~~subsection is the maximum the department may spend on furniture for~~
28 ~~this facility.~~))

29 *Sec. 305. 2019 c 416 s 306 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

32 ((~~High Occupancy Toll Lanes Operations~~
33 ~~Account—State Appropriation. \$7,000,000~~))

34	Transportation Partnership Account—State	
35	Appropriation	((\$325,275,000))
36		<u>\$385,619,000</u>
37	Motor Vehicle Account—State Appropriation	((\$92,504,000))
38		<u>\$102,543,000</u>

1	Motor Vehicle Account—Federal Appropriation	((\$154,337,000))
2		<u>\$151,857,000</u>
3	Motor Vehicle Account—Private/Local Appropriation	((\$26,839,000))
4		<u>\$70,404,000</u>
5	Connecting Washington Account—State	
6	Appropriation	((\$2,137,381,000))
7		<u>\$2,355,205,000</u>
8	Special Category C Account—State Appropriation	((\$81,000,000))
9		<u>\$36,134,000</u>
10	Multimodal Transportation Account—State	
11	Appropriation	((\$5,408,000))
12		<u>\$3,853,000</u>
13	Alaskan Way Viaduct Replacement Project Account—State	
14	Appropriation	\$77,956,000
15	Transportation 2003 Account (Nickel Account)—State	
16	Appropriation	((\$21,819,000))
17		<u>\$10,429,000</u>
18	Interstate 405 <u>and State Route Number 167</u> Express	
19	Toll Lanes ((Operations)) Account—State	
20	Appropriation	((\$48,036,000))
21		<u>\$90,027,000</u>
22	TOTAL APPROPRIATION.	((\$2,977,555,000))
23		<u>\$3,284,027,000</u>

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

26 (1) Except as provided otherwise in this section, the entire
27 connecting Washington account—state appropriation and the entire
28 transportation partnership account—state appropriation are provided
29 solely for the projects and activities as listed by fund, project,
30 and amount in LEAP Transportation Document ((~~2019-1~~)) 2020-1 as
31 developed ((~~April 27, 2019~~)) March 11, 2020, Program - Highway
32 Improvements Program (I). However, limited transfers of specific
33 line-item project appropriations may occur between projects for those
34 amounts listed subject to the conditions and limitations in section
35 601 of this act.

36 (2) Except as provided otherwise in this section, the entire
37 motor vehicle account—state appropriation and motor vehicle account—
38 federal appropriation are provided solely for the projects and
39 activities listed in LEAP Transportation Document ((~~2019-2~~)) 2020-2

1 ALL PROJECTS as developed (~~April 27, 2019~~) March 11, 2020, Program
2 - Highway Improvements Program (I). Any federal funds gained through
3 efficiencies, adjustments to the federal funds forecast, additional
4 congressional action not related to a specific project or purpose, or
5 the federal funds redistribution process must then be applied to
6 highway and bridge preservation activities or fish passage barrier
7 corrections (OBI4001).

8 (3) Within the motor vehicle account—state appropriation and
9 motor vehicle account—federal appropriation, the department may
10 transfer funds between programs I and P, except for funds that are
11 otherwise restricted in this act. Ten days prior to any transfer, the
12 department must submit its request to the office of financial
13 management and the transportation committees of the legislature and
14 consider any concerns raised. The department shall submit a report on
15 fiscal year funds transferred in the prior fiscal year using this
16 subsection as part of the department's annual budget submittal.

17 (4) The connecting Washington account—state appropriation
18 includes up to (~~(\$1,519,899,000)~~) \$1,835,325,000 in proceeds from the
19 sale of bonds authorized in RCW 47.10.889.

20 (5) The special category C account—state appropriation includes
21 up to (~~(\$75,274,000)~~) \$24,910,000 in proceeds from the sale of bonds
22 authorized in RCW (~~(47.10.861)~~) 47.10.812.

23 (6) The transportation partnership account—state appropriation
24 includes up to (~~(\$150,232,000)~~) \$162,658,000 in proceeds from the
25 sale of bonds authorized in RCW (~~(47.10.812)~~) 47.10.873.

26 (7) The Alaskan Way viaduct replacement project account—state
27 appropriation includes up to \$77,956,000 in proceeds from the sale of
28 bonds authorized in RCW 47.10.873.

29 (~~(8) (The multimodal transportation account—state appropriation~~
30 ~~includes up to \$5,408,000 in proceeds from the sale of bonds~~
31 ~~authorized in RCW 47.10.867.~~

32 (~~9) \$90,464,000~~) \$168,757,000 of the transportation partnership
33 account—state appropriation, (~~(\$7,006,000)~~) \$19,790,000 of the motor
34 vehicle account—private/local appropriation, (~~(\$3,383,000)~~)
35 \$3,384,000 of the transportation 2003 account (nickel account)—state
36 appropriation, \$77,956,000 of the Alaskan Way viaduct replacement
37 project account—state appropriation, and \$1,838,000 of the multimodal
38 transportation account—state appropriation are provided solely for
39 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is

1 the intent of the legislature that the \$25,000,000 increase in
2 funding provided in the 2021-2023 fiscal biennium be covered by any
3 legal damages paid to the state as a result of a lawsuit related to
4 contractual provisions for construction and delivery of the Alaskan
5 Way viaduct replacement project. The legislature intends that the
6 \$25,000,000 of the transportation partnership account—state funds be
7 repaid when those damages are recovered.

8 ~~((10))~~ (9) \$3,000,000 of the multimodal transportation account—
9 state appropriation is provided solely for transit mitigation for the
10 SR 99/Viaduct Project - Construction Mitigation project (809940B).

11 ~~((11) —\$164,000,000))~~ (10) \$168,655,000 of the connecting
12 Washington account—state appropriation ~~((is))~~, \$1,052,000 of the
13 special category C account—state appropriation, and \$738,000 of the
14 motor vehicle account—private/local appropriation are provided solely
15 for the US 395 North Spokane Corridor project (M00800R).

16 ~~((12)(a) \$22,195,000 of the transportation partnership account—~~
17 ~~state appropriation, \$12,805,000 of the transportation 2003 account~~
18 ~~(nickel account) state appropriation, and \$48,000,000))~~ (11)
19 \$82,991,000 of the Interstate 405 and state route number 167 express
20 toll lanes ~~((operations))~~ account—state appropriation ~~((are))~~ is
21 provided solely for the I-405/SR 522 to I-5 Capacity Improvements
22 project (L2000234) for activities related to adding capacity on
23 Interstate 405 between state route number 522 and Interstate 5, with
24 the goals of increasing vehicle throughput and aligning project
25 completion with the implementation of bus rapid transit in the
26 vicinity of the project. ~~((The transportation partnership account—~~
27 ~~state appropriation and transportation 2003 account (nickel account)—~~
28 ~~state appropriation are a transfer or a reappropriation of a transfer~~
29 ~~from the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002)~~
30 ~~due to savings and will fund right-of-way and construction for an~~
31 ~~additional phase of this I-405 project.~~

32 ~~(b) If sufficient bonding authority to complete this project is~~
33 ~~not provided within chapter 421 (Engrossed Substitute Senate Bill No.~~
34 ~~5825), Laws of 2019 (addressing tolling) or chapter 421 (House Bill~~
35 ~~No. 2132), Laws of 2019 (addressing tolling), or within a bond~~
36 ~~authorization act referencing chapter . . . (Engrossed Substitute~~
37 ~~Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No.~~
38 ~~2132), Laws of 2019, by June 30, 2019, \$21,000,000 of the Interstate~~
39 ~~405 express toll lanes operations account state appropriation~~

1 provided in this subsection lapses, and it is the intent of the
2 legislature to reduce the Interstate 405 express toll lanes
3 operations account state appropriation in the 2021-2023 biennium to
4 \$5,000,000, and in the 2023-2025 biennium to \$0 on the list
5 referenced in subsection (2) of this section.

6 ~~(13))~~ (12) (a) ~~(((\$395,822,000))~~ \$422,099,000 of the connecting
7 Washington account—state appropriation ~~((, \$60,000 of the motor~~
8 ~~vehicle account—state appropriation,))~~ and ~~(((\$342,000))~~ \$456,000 of
9 the motor vehicle account—private/local appropriation are provided
10 solely for the SR 520 Seattle Corridor Improvements - West End
11 project (M00400R).

12 (b) Recognizing that the department of transportation requires
13 full possession of parcel number 1-23190 to complete the Montlake
14 Phase of the West End project, the department is directed to:

15 (i) Work with the operator of the Montlake boulevard market
16 located on parcel number 1-23190 to negotiate a lease allowing
17 continued operations up to January 1, 2020. After that time, the
18 department shall identify an area in the vicinity of the Montlake
19 property for a temporary market or other food service to be provided
20 during the period of project construction. Should the current
21 operator elect not to participate in providing that temporary
22 service, the department shall then develop an outreach plan with the
23 city to solicit community input on the food services provided, and
24 then advertise the opportunity to other potential vendors. Further,
25 the department shall work with the city of Seattle and existing
26 permit processes to facilitate vendor access to and use of the area
27 in the vicinity of the Montlake property.

28 (ii) Upon completion of the Montlake Phase of the West End
29 project (current anticipated contract completion of 2023), WSDOT
30 shall sell that portion of the property not used for permanent
31 transportation improvements and initiate a process to convey that
32 surplus property to a subsequent owner.

33 (c) \$60,000 of the motor vehicle account—state appropriation is
34 provided solely for grants to nonprofit organizations located in a
35 city with a population exceeding six hundred thousand persons and
36 that empower artists through equitable access to vital expertise,
37 opportunities, and business services. Funds may be used only for the
38 purpose of preserving, commemorating, and sharing the history of the
39 city of Seattle's freeway protests and making the history of activism

1 around the promotion of more integrated transportation and land use
2 planning accessible to current and future generations through the
3 preservation of Bent 2 of the R. H. Thompson freeway ramp.

4 ~~((14))~~ (13) It is the intent of the legislature that for the
5 I-5 JBLM Corridor Improvements project (M00100R), the department
6 shall actively pursue \$50,000,000 in federal funds to pay for this
7 project to supplant state funds in the future. \$50,000,000 in
8 connecting Washington account funding must be held in unallotted
9 status during the 2021-2023 fiscal biennium. These funds may only be
10 used after the department has provided notice to the office of
11 financial management that it has exhausted all efforts to secure
12 federal funds from the federal highway administration and the
13 department of defense.

14 ~~((15) — \$265,100,000))~~ (14) \$310,469,000 of the connecting
15 Washington account—state appropriation is provided solely for the SR
16 167/SR 509 Puget Sound Gateway project (M00600R).

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

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

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

33 (d) It is the legislature's intent that the department shall
34 construct a full single-point urban interchange at the junction of
35 state route number 161 (Meridian avenue) and state route number 167
36 and a full single-point urban interchange at the junction of state
37 route number 509 and 188th Street. If the department receives
38 additional funds from an outside source for this project after the
39 base project is fully funded, the funds must first be applied toward
40 the completion of these two full single-point urban interchanges.

1 (e) In designing the state route number 509/state route number
2 516 interchange component of the SR 167/SR 509 Puget Sound Gateway
3 project (M00600R), the department shall make every effort to utilize
4 the preferred "4B" design.

5 (f) The department shall explore the development of a multiuse
6 trail for bicyclists, pedestrians, skateboarders, and similar users
7 along the SR 167 right-of-way acquired for the project to connect a
8 network of new and existing trails from Mount Rainier to Point
9 Defiance Park.

10 (g) If sufficient bonding authority to complete this project is
11 not provided within chapter 421 (~~((Engrossed Substitute Senate Bill~~
12 ~~No. 5825))), Laws of 2019 (addressing tolling) (~~(or chapter . . .~~
13 ~~(House Bill No. 2132), Laws of 2019 (addressing tolling))), or within~~
14 a bond authorization act referencing chapter 421 (~~((Engrossed~~
15 ~~Substitute Senate Bill No. 5825))), Laws of 2019 (~~(or chapter . . .~~
16 ~~(House Bill No. 2132), Laws of 2019,)) by June 30, 2019, it is the~~
17 intent of the legislature to return the Puget Sound Gateway project
18 (M00600R) to its previously identified construction schedule by
19 moving \$128,900,000 in connecting Washington account—state
20 appropriation back to the 2027-2029 biennium from the 2023-2025
21 biennium on the list referenced in subsection (2) of this section. If
22 sufficient bonding authority is provided, it is the intent of the
23 legislature to advance the project to allow for earlier completion
24 and inflationary savings.~~~~

25 (~~((16)))~~ (15) It is the intent of the legislature that, for the
26 I-5/North Lewis County Interchange project (L2000204), the department
27 develop and design the project with the objective of significantly
28 improving access to the industrially zoned properties in north Lewis
29 county. The design must consider the county's process of
30 investigating alternatives to improve such access from Interstate 5
31 that began in March 2015.

32 (~~((18) — \$950,000))~~ (16) \$1,029,000 of the transportation
33 partnership account—state appropriation is provided solely for the
34 U.S. 2 Trestle IJR project (L1000158).

35 (~~((19)))~~ (17) The department shall itemize all future requests
36 for the construction of buildings on a project list and submit them
37 through the transportation executive information system as part of
38 the department's annual budget submittal. It is the intent of the
39 legislature that new facility construction must be transparent and
40 not appropriated within larger highway construction projects.

1 ~~((20))~~ (18) Any advisory group that the department convenes
2 during the 2019-2021 fiscal biennium must consider the interests of
3 the entire state of Washington.

4 ~~((21))~~ (19) The legislature finds that there are sixteen
5 companies involved in wood preserving in the state that employ four
6 hundred workers and have an annual payroll of fifteen million
7 dollars. Before the department's switch to steel guardrails, ninety
8 percent of the twenty-five hundred mile guardrail system was
9 constructed of preserved wood and one hundred ten thousand wood
10 guardrail posts were produced annually for state use. Moreover, the
11 policy of using steel posts requires the state to use imported steel.
12 Given these findings, where practicable, and until June 30, 2021, the
13 department shall include the design option to use wood guardrail
14 posts, in addition to steel posts, in new guardrail installations.
15 The selection of posts must be consistent with the agency design
16 manual policy that existed before December 2009.

17 ~~((22))~~ (20) (a) ~~((For projects funded as part of the 2015
18 connecting Washington transportation package listed on the LEAP
19 transportation document identified in subsection (1) of this section,
20 if the department expects to have substantial reappropriations for
21 the 2021-2023 fiscal biennium, the department may, on a pilot basis,
22 apply funding from a project in this section with an appropriation
23 that cannot be used for the current fiscal biennium to advance one or
24 more of the following projects:~~

25 ~~(i) I-82 Yakima - Union Gap Economic Development Improvements
26 (T21100R);~~

27 ~~(ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R);~~
28 ~~or~~

29 ~~(iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522
30 (Design/Engineering) (NPARADI).~~

31 ~~(b) At least ten business days before advancing a project
32 pursuant to this subsection, the department must notify the office of
33 financial management and the transportation committees of the
34 legislature. The advancement of a project may not hinder the delivery
35 of the projects for which the reappropriations are necessary for the
36 2021-2023 fiscal biennium.~~

37 ~~(e))~~ For connecting Washington projects that have already begun
38 and are eligible for the authority granted in section 601 of this
39 act, the department shall prioritize advancing the following projects
40 if expected reappropriations become available:

- 1 (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
2 (ii) SR 305 Construction - Safety Improvements (N30500R);
3 (iii) SR 14/Bingen Underpass (L2220062);
4 (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
5 (v) US Hwy 2 Safety (N00200R);
6 (vi) US-12/Walla Walla Corridor Improvements (T20900R);
7 (vii) I-5 JBLM Corridor Improvements (M00100R);
8 (viii) I-5/Slater Road Interchange - Improvements (L1000099);
9 (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
10 (x) SR 520/124th St Interchange (Design and Right of Way)
11 (L1000098).

12 ~~((d))~~ (b) To the extent practicable, the department shall use
13 the flexibility and authority granted in this section and in section
14 601 of this act to minimize the amount of reappropriations needed
15 each biennium.

16 (c) The advancement of a project may not hinder the delivery of
17 the projects for which the reappropriations are necessary for the
18 2021-2023 fiscal biennium.

19 ~~((23))~~ (21) The legislature continues to prioritize the
20 replacement of the state's aging infrastructure and recognizes the
21 importance of reusing and recycling construction aggregate and
22 recycled concrete materials in our transportation system. To
23 accomplish Washington state's sustainability goals in transportation
24 and in accordance with RCW 70.95.805, the legislature reaffirms its
25 determination that recycled concrete aggregate and other
26 transportation building materials are natural resource construction
27 materials that are too valuable to be wasted and landfilled, and are
28 a commodity as defined in WAC 173-350-100.

29 Further, the legislature determines construction aggregate and
30 recycled concrete materials substantially meet widely recognized
31 international, national, and local standards and specifications
32 referenced in American society for testing and materials, American
33 concrete institute, Washington state department of transportation,
34 Seattle department of transportation, American public works
35 association, federal aviation administration, and federal highway
36 administration specifications, and are described as necessary and
37 desirable products for recycling and reuse by state and federal
38 agencies.

39 As these recyclable materials have well established markets, are
40 substantially a primary or secondary product of necessary

1 construction processes and production, and are managed as an item of
2 commercial value, construction aggregate and recycled concrete
3 materials are exempt from chapter 173-350 WAC.

4 ~~((24))~~ (22) (a) \$17,500,000 of the motor vehicle account—state
5 appropriation is provided solely for staffing of a project office to
6 replace the Interstate 5 bridge across the Columbia river (G2000088).
7 If at least a \$9,000,000 transfer is not authorized in section
8 406(29) ~~((of this act))~~, chapter 416, Laws of 2019, then \$9,000,000
9 of the motor vehicle account—state appropriation lapses.

10 (b) Of the amount provided in this subsection, \$7,780,000 of the
11 motor vehicle account—state appropriation must be placed in
12 unallotted status by the office of financial management until the
13 department develops a detailed plan for the work of this project
14 office in consultation with the chairs and ranking members of the
15 transportation committees of the legislature. The director of the
16 office of financial management shall consult with the chairs and
17 ranking members of the transportation committees of the legislature
18 prior to making a decision to allot these funds.

19 (c) The work of this project office includes, but is not limited
20 to, the reevaluation of the purpose and need identified for the
21 project previously known as the Columbia river crossing, the
22 reevaluation of permits and development of a finance plan, the
23 reengagement of key stakeholders and the public, and the reevaluation
24 of scope, schedule, and budget for a reinvigorated bistate effort for
25 replacement of the Interstate 5 Columbia river bridge. When
26 reevaluating the finance plan for the project, the department shall
27 assume that some costs of the new facility may be covered by tolls.
28 The project office must also study the possible different governance
29 structures for a bridge authority that would provide for the joint
30 administration of the bridges over the Columbia river between Oregon
31 and Washington. As part of this study, the project office must
32 examine the feasibility and necessity of an interstate compact in
33 conjunction with the national center for interstate compacts.

34 (d) Within the amount provided in this subsection, the department
35 must implement chapter 137 ~~((Engrossed Substitute House Bill No.
36 1994))~~, Laws of 2019 (projects of statewide significance).

37 (e) The department shall have as a goal to:

38 (i) Reengage project stakeholders and reevaluate the purpose and
39 need and environmental permits by July 1, 2020;

1 (ii) Develop a finance plan by December 1, 2020; and
2 (iii) Have made significant progress toward beginning the
3 supplemental environmental impact statement process by June 30, 2021.
4 The department shall aim to provide a progress report on these
5 activities to the governor and the transportation committees of the
6 legislature by December 1, 2019, and a final report to the governor
7 and the transportation committees of the legislature by December 1,
8 2020.

9 ~~((25))~~ (23) \$17,500,000 of the motor vehicle account—state
10 appropriation is provided solely to begin the pre-design phase on the
11 I-5/Columbia River Bridge project (G2000088) ~~((; however, if at least
12 \$50,000,000 is not made available, by means of transfer, deposit,
13 appropriation, or other similar conveyance, to the motor vehicle
14 account for stormwater-related activities through the enactment of
15 chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019
16 (model toxics control program reform) by June 30, 2019, the amount
17 provided in this subsection lapses)).~~

18 ~~((26))~~ (24) (a) ~~(((\$36,500,000))~~ \$191,360,000 of the connecting
19 Washington account—state appropriation, ~~(((\$44,961,000))~~ \$47,655,000
20 of the motor vehicle account—federal appropriation, \$11,179,000 of
21 the motor vehicle account—private/local appropriation, \$6,100,000 of
22 the motor vehicle account—state appropriation, and ~~(((\$18,539,000))~~
23 \$18,706,000 of the transportation partnership account—state
24 appropriation are provided solely for the Fish Passage Barrier
25 project (OBI4001) with the intent of fully complying with the court
26 injunction by 2030.

27 (b) Of the amounts provided in this subsection, \$320,000 of the
28 connecting Washington account—state appropriation is provided solely
29 to remove the fish passage barrier on state route number 6 that
30 interfaces with Boistfort Valley water utilities near milepost 46.6.

31 (c) The department shall coordinate with the Brian Abbott fish
32 passage barrier removal board to use a watershed approach to maximize
33 habitat gain by replacing both state and local culverts. The
34 department shall deliver high habitat value fish passage barrier
35 corrections that it has identified, guided by the following factors:
36 Opportunity to bundle projects, ability to leverage investments by
37 others, presence of other barriers, project readiness, other
38 transportation projects in the area, and transportation impacts.

1 (d) The department must keep track of, for each barrier removed:
2 (i) The location; (ii) the amount of fish habitat gain; and (iii) the
3 amount spent to comply with the injunction.

4 (e) It is the intent of the legislature that for the amount
5 listed for the 2021-2023 biennium for the Fish Passage Barrier
6 project (OBI4001) on the LEAP list referenced in subsection (1) of
7 this section, that accrued practical design savings deposited in the
8 transportation future funding program account be used to help fund
9 the cost of fully complying with the court injunction by 2030.

10 ((27) \$14,750,000) (25) (a) The Washington state department of
11 transportation is directed to pursue compliance with the U.S. v.
12 Washington permanent injunction by delivering culvert corrections
13 within the injunction area guided by the principle of providing the
14 greatest fisheries habitat gain at the earliest time and considering
15 the following factors: Opportunity to bundle projects, tribal
16 priorities, ability to leverage investments by others, presence of
17 other barriers, project readiness, culvert condition, other
18 transportation projects in the area, and transportation impacts.

19 (b) The department and Brian Abbott fish barrier removal board,
20 while providing the opportunity for stakeholders, tribes, and
21 government agencies to give input on a statewide culvert remediation
22 plan, must provide updates on the development of the statewide
23 culvert remediation plan to the capital budget, ways and means, and
24 transportation committees of the legislature by November 1, 2020, and
25 March 15, 2021. The first update must include a project timeline and
26 plan to ensure that all state agencies with culvert correction
27 programs are involved in the creation of the comprehensive plan.

28 (26) \$16,649,000 of the connecting Washington account—state
29 appropriation, \$373,000 of the motor vehicle account—state
30 appropriation, and \$6,000,000 of the motor vehicle account—private/
31 local appropriation are provided solely for the I-90/Barker to
32 Harvard - Improve Interchanges & Local Roads project (L2000122). The
33 connecting Washington account appropriation for the improvements that
34 fall within the city of Liberty Lake may only be expended if the city
35 of Liberty Lake agrees to cover any project costs within the city of
36 Liberty Lake above the \$20,900,000 of state appropriation provided
37 for the total project in LEAP Transportation Document ((2019-1))
38 2020-1 as developed ((April 27, 2019)) March 11, 2020, Program -
39 Highway Improvements (I).

1 ~~((28))~~ (27) (a) ~~((7,060,000))~~ \$6,799,000 of the motor vehicle
2 account—federal appropriation, ~~((72,000))~~ \$31,000 of the motor
3 vehicle account—state appropriation, ~~((3,580,000))~~ \$3,812,000 of the
4 transportation partnership account—state appropriation, and
5 \$7,000,000 of the ~~((high occupancy))~~ Interstate 405 and state route
6 number 167 express toll lanes ~~((operations))~~ account—state
7 appropriation are provided solely for the SR 167/SR 410 to SR 18 -
8 Congestion Management project (316706C).

9 (b) If sufficient bonding authority to complete this project is
10 not provided within chapter 421 ~~((Engrossed Substitute Senate Bill~~
11 ~~No. 5825))~~, Laws of 2019 (addressing tolling) ~~((or chapter . . .~~
12 ~~(House Bill No. 2132), Laws of 2019 (addressing tolling))~~, or within
13 a bond authorization act referencing chapter 421 ~~((Engrossed~~
14 ~~Substitute Senate Bill No. 5825))~~, Laws of 2019 ~~((or chapter . . .~~
15 ~~(House Bill No. 2132), Laws of 2019,))~~ by June 30, 2019, it is the
16 intent of the legislature to remove the \$100,000,000 in toll funding
17 from this project on the list referenced in subsection (2) of this
18 section.

19 ~~((29))~~ (28) For the I-405/North 8th Street Direct Access Ramp
20 in Renton project (L1000280), if sufficient bonding authority to
21 begin this project is not provided within chapter 421 ~~((Engrossed~~
22 ~~Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling)
23 ~~((or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing~~
24 ~~tolling))~~, or within a bond authorization act referencing chapter
25 421 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019
26 ~~((or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30,~~
27 ~~2019))~~, it is the intent of the legislature to remove the project
28 from the list referenced in subsection (2) of this section.

29 ~~((30—\$7,900,000))~~ (29) \$7,985,000 of the Special Category C
30 account—state appropriation and \$1,000,000 of the motor vehicle
31 account—private/local appropriation are provided solely for the SR 18
32 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for
33 improving and widening state route number 18 to four lanes from
34 Issaquah-Hobart Road to Raging River.

35 ~~((31))~~ (30) \$2,250,000 of the motor vehicle account—state
36 appropriation is provided solely for the I-5 Corridor from Mounts
37 Road to Tumwater project (L1000231) for completing a National and
38 State Environmental Policy Act (NEPA/SEPA) analysis to identify mid-

1 and long-term environmental impacts associated with future
2 improvements along the I-5 corridor from Tumwater to DuPont.

3 ~~((32) \$1,290,000))~~ (31) \$622,000 of the motor vehicle account—
4 state appropriation is provided solely for the US 101/East Sequim
5 Corridor Improvements project (L2000343) ~~((; however, if at least
6 \$50,000,000 is not made available, by means of transfer, deposit,
7 appropriation, or other similar conveyance, to the motor vehicle
8 account for stormwater-related activities through the enactment of
9 chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019
10 (model toxics control program reform) by June 30, 2019, the amount
11 provided in this subsection lapses))~~.

12 ~~((33) \$12,800,000))~~ (32) \$12,916,000 of the motor vehicle
13 account—state appropriation is provided solely for the SR 522/
14 Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering)
15 project (NPARADI) ~~((; however, if at least \$50,000,000 is not made
16 available, by means of transfer, deposit, appropriation, or other
17 similar conveyance, to the motor vehicle account for stormwater-
18 related activities through the enactment of chapter 422 (Engrossed
19 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
20 program reform) by June 30, 2019, the amount provided in this
21 subsection lapses))~~.

22 ~~((34))~~ (33) \$1,000,000 of the motor vehicle account—state
23 appropriation is provided solely for the US 101/Morse Creek Safety
24 Barrier project (L1000247) ~~((; however, if at least \$50,000,000 is not
25 made available, by means of transfer, deposit, appropriation, or
26 other similar conveyance, to the motor vehicle account for
27 stormwater-related activities through the enactment of chapter 422
28 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
29 toxics control program reform) by June 30, 2019, the amount provided
30 in this subsection lapses))~~.

31 ~~((35))~~ (34) \$1,000,000 of the motor vehicle account—state
32 appropriation is provided solely for the SR 162/410 Interchange
33 Design and Right of Way project (L1000276) ~~((; however, if at least
34 \$50,000,000 is not made available, by means of transfer, deposit,
35 appropriation, or other similar conveyance, to the motor vehicle
36 account for stormwater-related activities through the enactment of
37 chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019
38 (model toxics control program reform) by June 30, 2019, the amount
39 provided in this subsection lapses))~~.

1 ~~((36) \$1,000,000 of the motor vehicle account state~~
2 ~~appropriation is provided solely for the I-5/Rush Road Interchange~~
3 ~~Improvements project (L1000223); however, if at least \$50,000,000 is~~
4 ~~not made available, by means of transfer, deposit, appropriation, or~~
5 ~~other similar conveyance, to the motor vehicle account for~~
6 ~~stormwater-related activities through the enactment of chapter 422~~
7 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
8 ~~toxics control program reform) by June 30, 2019, the amount provided~~
9 ~~in this subsection lapses.))~~

10 **(35) It is the intent of the legislature that no capital projects**
11 **be eliminated or substantially delayed as a result of revenue**
12 **reductions, but that as a short-term solution appropriation authority**
13 **for this program is reduced to reflect anticipated underruns in this**
14 **program, based on historical reappropriation levels.**

15 (36) The appropriations in this section include savings due to
16 anticipated project underruns; however, it is unknown which projects
17 will provide savings. The legislature intends to provide sufficient
18 flexibility for the department to manage to this savings target. To
19 provide this flexibility, the office of financial management may
20 authorize, through an allotment modification, reductions in the
21 appropriated amounts that are provided solely for a particular
22 purpose within this section subject to the following conditions and
23 limitations:

24 (a) The department must confirm that any modification requested
25 under this subsection of amounts provided solely for a specific
26 purpose are not expected to be used for that purpose in this
27 biennium;

28 (b) Allotment modifications authorized under this subsection may
29 not result in increased funding for any project beyond the amount
30 provided for that project in the 2019-2021 fiscal biennium in LEAP
31 Transportation Document 2020-2 ALL PROJECTS as developed March 11,
32 2020;

33 (c) Allotment modifications authorized under this subsection
34 apply only to amounts appropriated in this section from the following
35 accounts: Multimodal transportation account—state, transportation
36 partnership account—state, connecting Washington account—state, and
37 special category C account—state; and

1 (d) By December 1, 2020, the department must submit a report to
2 the transportation committees of the legislature regarding the
3 actions taken under this subsection.

***Sec. 305 is partially vetoed. See message at end of chapter.**

4 **Sec. 306.** 2019 c 416 s 307 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

7 Recreational Vehicle Account—State Appropriation . . . ((~~\$1,744,000~~))
8 \$2,971,000

9 Transportation Partnership Account—State
10 Appropriation ((~~\$23,706,000~~))
11 \$20,248,000

12 Motor Vehicle Account—State Appropriation ((~~\$74,885,000~~))
13 \$82,447,000

14 Motor Vehicle Account—Federal Appropriation ((~~\$454,758,000~~))
15 \$490,744,000

16 Motor Vehicle Account—Private/Local
17 Appropriation ((~~\$5,159,000~~))
18 \$7,408,000

19 State Route Number 520 Corridor Account—State
20 Appropriation ((~~\$544,000~~))
21 \$326,000

22 Connecting Washington Account—State Appropriation ((~~\$189,771,000~~))
23 \$204,630,000

24 Tacoma Narrows Toll Bridge Account—State
25 Appropriation ((~~\$7,906,000~~))
26 \$8,350,000

27 Alaskan Way Viaduct Replacement Project Account—State
28 Appropriation \$10,000

29 Interstate 405 and State Route Number 167 Express
30 Toll Lanes Account—State Appropriation \$3,018,000

31 Transportation 2003 Account (Nickel Account)—State
32 Appropriation ((~~\$9,617,000~~))
33 \$17,892,000

34 TOTAL APPROPRIATION ((~~\$768,100,000~~))
35 \$838,044,000

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

1 (1) Except as provided otherwise in this section, the entire
2 connecting Washington account—state appropriation and the entire
3 transportation partnership account—state appropriation are provided
4 solely for the projects and activities as listed by fund, project,
5 and amount in LEAP Transportation Document ((2019-1)) 2020-1
6 developed ((April 27, 2019)) March 11, 2020, Program - Highway
7 Preservation Program (P). However, limited transfers of specific
8 line-item project appropriations may occur between projects for those
9 amounts listed subject to the conditions and limitations in section
10 601 of this act.

11 (2) Except as provided otherwise in this section, the entire
12 motor vehicle account—state appropriation and motor vehicle account—
13 federal appropriation are provided solely for the projects and
14 activities listed in LEAP Transportation Document ((2019-2)) 2020-2
15 ALL PROJECTS as developed ((April 27, 2019)) March 11, 2020, Program
16 - Highway Preservation Program (P). Any federal funds gained through
17 efficiencies, adjustments to the federal funds forecast, additional
18 congressional action not related to a specific project or purpose, or
19 the federal funds redistribution process must then be applied to
20 highway and bridge preservation activities or fish passage barrier
21 corrections (0BI4001).

22 (3) Within the motor vehicle account—state appropriation and
23 motor vehicle account—federal appropriation, the department may
24 transfer funds between programs I and P, except for funds that are
25 otherwise restricted in this act. Ten days prior to any transfer, the
26 department must submit its request to the office of financial
27 management and the transportation committees of the legislature and
28 consider any concerns raised. The department shall submit a report on
29 fiscal year funds transferred in the prior fiscal year using this
30 subsection as part of the department's annual budget submittal.

31 (4) ((~~\$25,036,000~~)) \$26,683,000 of the connecting Washington
32 account—state appropriation is provided solely for the land mobile
33 radio upgrade (G2000055) and is subject to the conditions,
34 limitations, and review provided in section 701 of this act. The land
35 mobile radio project is subject to technical oversight by the office
36 of the chief information officer. The department, in collaboration
37 with the office of the chief information officer, shall identify
38 where existing or proposed mobile radio technology investments should
39 be consolidated, identify when existing or proposed mobile radio

1 technology investments can be reused or leveraged to meet multiagency
2 needs, increase mobile radio interoperability between agencies, and
3 identify how redundant investments can be reduced over time. The
4 department shall also provide quarterly reports to the technology
5 services board on project progress.

6 (5) (~~(\$2,500,000)~~) \$4,000,000 of the motor vehicle account—state
7 appropriation is provided solely for extraordinary costs incurred
8 from litigation awards, settlements, or dispute mitigation activities
9 not eligible for funding from the self-insurance fund. The amount
10 provided in this subsection must be held in unallotted status until
11 the department submits a request to the office of financial
12 management that includes documentation detailing litigation-related
13 expenses. The office of financial management may release the funds
14 only when it determines that all other funds designated for
15 litigation awards, settlements, and dispute mitigation activities
16 have been exhausted. No funds provided in this subsection may be
17 expended on any legal fees related to the SR 99/Alaskan Way viaduct
18 replacement project (809936Z).

19 (6) The appropriation in this section includes funding for
20 starting planning, engineering, and construction of the Elwha River
21 bridge replacement. To the greatest extent practicable, the
22 department shall maintain public access on the existing route.

23 (7) (~~(\$22,729,000)~~) \$21,289,000 of the motor vehicle account—
24 federal appropriation and (~~(\$553,000)~~) \$840,000 of the motor vehicle
25 account—state appropriation are provided solely for the preservation
26 of structurally deficient bridges or bridges that are at risk of
27 becoming structurally deficient (L1000068). These funds must be used
28 widely around the state of Washington. When practicable, the
29 department shall pursue design-build contracts for these bridge
30 projects to expedite delivery. The department shall provide a report
31 that identifies the progress of each project funded in this
32 subsection as part of its annual agency budget request.

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

1 (9) During the course of any planned resurfacing or other
2 preservation activity on state route number 26 between Colfax and
3 Othello in the 2019-2021 fiscal biennium, the department must add
4 dug-in reflectors.

5 ~~(10) ((a) For projects funded as part of the 2015 connecting
6 Washington transportation package listed on the LEAP transportation
7 document identified in subsection (1) of this section, if the
8 department expects to have substantial reappropriations for the
9 2021-2023 fiscal biennium, the department may, on a pilot basis,
10 apply funding from a project in this section with an appropriation
11 that cannot be used for the current fiscal biennium to advance the SR
12 4/Abernathy Creek Br - Replace Bridge project (400411A).~~

13 ~~(b) At least ten business days before advancing the project
14 pursuant to this subsection, the department must notify the office of
15 financial management and the transportation committees of the
16 legislature. The advancement of the project may not hinder the
17 delivery of the projects for which the reappropriations are necessary
18 for the 2021-2023 fiscal biennium.~~

19 ~~(c) To the extent practicable, the department shall use the
20 flexibility and authority granted in this section and in section 601
21 of this act to minimize the amount of reappropriations needed each
22 biennium.~~

23 ~~(11))~~ Within the connecting Washington account—state
24 appropriation, the department may transfer funds from Highway System
25 Preservation (L1100071) to other preservation projects listed in the
26 LEAP transportation document identified in subsection (1) of this
27 section, if it is determined necessary for completion of these high
28 priority preservation projects. The department's next budget
29 submittal after using this subsection must appropriately reflect the
30 transfer.

31 *Sec. 307. 2019 c 416 s 308 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
34 **CAPITAL**

35 Motor Vehicle Account—State Appropriation	((\$7,311,000))
	<u>\$7,746,000</u>
37 Motor Vehicle Account—Federal Appropriation	((\$5,331,000))
	<u>\$6,137,000</u>

1	Motor Vehicle Account—Private/Local Appropriation . . .	((\$500,000))
2		<u>\$579,000</u>
3	<u>Interstate 405 and State Route Number 167 Express</u>	
4	<u>Toll Lanes Account—State Appropriation.</u>	\$100,000
5	TOTAL APPROPRIATION.	((\$13,142,000))
6		<u>\$14,562,000</u>

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

9 (1) \$700,000 of the motor vehicle account—state appropriation is
10 provided solely for the SR 99 Aurora Bridge ITS project (L2000338) (~~not~~
11 however, if at least \$50,000,000 is not made available, by means of
12 transfer, deposit, appropriation, or other similar conveyance, to the
13 motor vehicle account for stormwater-related activities through the
14 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
15 Laws of 2019 (model toxics control program reform) by June 30, 2019,
16 the amount provided in this subsection lapses)).

17 (2) It is the intent of the legislature that no capital projects
18 be eliminated or substantially delayed as a result of revenue
19 reductions, but that as a short-term solution appropriation authority
20 for this program is reduced to reflect anticipated underruns in this
21 program, based on historical reappropriation levels.

**Sec. 307 is partially vetoed. See message at end of chapter.*

22 *Sec. 308. 2019 c 416 s 309 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES**

25 **CONSTRUCTION—PROGRAM W**

26	Puget Sound Capital Construction Account—State	
27	Appropriation	((\$111,076,000))
28		<u>\$116,253,000</u>
29	Puget Sound Capital Construction Account—Federal	
30	Appropriation	((\$141,750,000))
31		<u>\$198,688,000</u>
32	Puget Sound Capital Construction Account—Private/Local	
33	Appropriation	((\$350,000))
34		<u>\$4,779,000</u>
35	Transportation Partnership Account—State	
36	Appropriation	((\$4,936,000))
37		<u>\$6,582,000</u>

1	Connecting Washington Account—State Appropriation	((\$92,766,000))
2		<u>\$112,426,000</u>
3	Capital Vessel Replacement Account—State	
4	Appropriation.	((\$99,000,000))
5		<u>\$96,030,000</u>
6	<u>Transportation 2003 Account (Nickel Account)—State</u>	
7	<u>Appropriation.</u>	<u>\$986,000</u>
8	TOTAL APPROPRIATION.	((\$449,878,000))
9		<u>\$535,744,000</u>

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

12 (1) Except as provided otherwise in this section, the entire
13 appropriations in this section are provided solely for the projects
14 and activities as listed in LEAP Transportation Document ((~~2019-2~~))
15 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~)) March 11, 2020,
16 Program - Washington State Ferries Capital Program (W).

17 (2) ((~~\$1,461,000~~)) \$2,857,000 of the Puget Sound capital
18 construction account—state appropriation, ((~~\$59,650,000~~)) \$17,832,000
19 of the Puget Sound capital construction account—federal
20 appropriation, and \$63,789,000 of the connecting Washington account—
21 state appropriation, are provided solely for the Mukilteo ferry
22 terminal (952515P). To the extent practicable, the department shall
23 avoid the closure of, or disruption to, any existing public access
24 walkways in the vicinity of the terminal project during construction.

25 (3) ((~~\$73,089,000~~)) \$102,641,000 of the Puget Sound capital
26 construction account—federal appropriation, ((~~\$33,089,000~~))
27 \$47,819,000 of the connecting Washington account—state appropriation,
28 and ((~~\$8,778,000~~)) \$4,355,000 of the Puget Sound capital construction
29 account—((~~state~~)) local appropriation are provided solely for the
30 Seattle Terminal Replacement project (900010L).

31 (4) ((~~\$5,000,000~~)) \$5,357,000 of the Puget Sound capital
32 construction account—state appropriation is provided solely for
33 emergency capital repair costs (999910K). Funds may only be spent
34 after approval by the office of financial management.

35 (5) \$2,300,000 of the Puget Sound capital construction account—
36 state appropriation is provided solely for the ORCA acceptance
37 project (L2000300). The ferry system shall work with Washington
38 technology solutions and the tolling division on the development of a
39 new, interoperable ticketing system.

1 (6) \$495,000 of the Puget Sound capital construction account—
2 state appropriation is provided solely for an electric ferry planning
3 team (G2000087) to develop ten-year and twenty-year implementation
4 plans to efficiently deploy hybrid-electric vessels, including a
5 cost-benefit analysis of construction and operation of hybrid-
6 electric vessels with and without charging infrastructure. The plan
7 includes, but is not limited to, vessel technology and feasibility,
8 vessel and terminal deployment schedules, project financing, and
9 workforce requirements. The plan shall be submitted to the office of
10 financial management and the transportation committees of the
11 legislature by June 30, 2020.

12 (7) \$35,000,000 of the Puget Sound capital construction account—
13 state appropriation and (~~(\$6,500,000)~~) \$8,000,000 of the Puget Sound
14 capital construction account—federal appropriation are provided
15 solely for the conversion of up to two Jumbo Mark II vessels to
16 electric hybrid propulsion (G2000084). The department shall seek
17 additional funds for the purposes of this subsection. The department
18 may spend from the Puget Sound capital construction account—state
19 appropriation in this section only as much as the department receives
20 in Volkswagen settlement funds for the purposes of this subsection.

21 (8) \$400,000 of the Puget Sound capital construction account—
22 state appropriation is provided solely for a request for proposals
23 for a new maintenance management system (project L2000301) and is
24 subject to the conditions, limitations, and review provided in
25 section 701 of this act.

26 (9) (~~(\$99,000,000)~~) \$96,030,000 of the capital vessel replacement
27 account—state appropriation is provided solely for the acquisition of
28 a 144-car hybrid-electric vessel. The vendor must present to the
29 joint transportation committee and the office of financial
30 management, by September 15, 2019, a list of options that will result
31 in significant cost savings changes in terms of construction or the
32 long-term maintenance and operations of the vessel. The vendor must
33 allow for exercising the options without a penalty. It is the intent
34 of the legislature to provide an additional \$88,000,000 in funding in
35 the 2021-23 biennium. (~~(Unless (a) chapter 431 (Engrossed Substitute~~
36 ~~House Bill No. 2161), Laws of 2019 (capital surcharge) or~~
37 ~~chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019~~
38 ~~(capital surcharge) is enacted by June 30, 2019, and (b) chapter 417~~
39 ~~(Engrossed House Bill No. 1789), Laws of 2019 (service fees) or~~

1 chapter (Substitute Senate Bill No. 5419), Laws of 2019
2 (service fees) is enacted by June 30, 2019, the amount provided in
3 this subsection lapses.) The reduction provided in this subsection
4 is an assumed underrun pursuant to subsection (11) of this section.
5 The commencement of construction of new vessels for the ferry system
6 is important not only for safety reasons, but also to keep skilled
7 marine construction jobs in the Puget Sound region and to sustain the
8 capacity of the region to meet the ongoing construction and
9 preservation needs of the ferry system fleet of vessels. The
10 legislature has determined that the current vessel procurement
11 process must move forward with all due speed, balancing the interests
12 of both the taxpayers and shipyards. To accomplish construction of
13 vessels in accordance with RCW 47.60.810, the prevailing shipbuilder,
14 for vessels initially funded after July 1, 2020, is encouraged to
15 follow the historical practice of subcontracting the construction of
16 ferry superstructures to a separate nonaffiliated contractor located
17 within the Puget Sound region, that is qualified in accordance with
18 RCW 47.60.690.

19 (10) The capital vessel replacement account—state appropriation
20 includes up to (~~(\$99,000,000)~~) \$96,030,000 in proceeds from the sale
21 of bonds authorized in RCW 47.10.873.

22 **(11) It is the intent of the legislature that no capital projects**
23 **be eliminated or substantially delayed as a result of revenue**
24 **reductions, but that as a short-term solution appropriation authority**
25 **for this program is reduced to reflect anticipated underruns in this**
26 **program, based on historical reappropriation levels.**

27 (12) The appropriations in this section include savings due to
28 anticipated project underruns; however, it is unknown which projects
29 will provide savings. The legislature intends to provide sufficient
30 flexibility for the department to manage to this savings target. To
31 provide this flexibility, the office of financial management may
32 authorize, through an allotment modification, reductions in the
33 appropriated amounts that are provided solely for a particular
34 purpose within this section subject to the following conditions and
35 limitations:

36 (a) The department must confirm that any modification requested
37 under this subsection of amounts provided solely for a specific
38 purpose are not expected to be used for that purpose in this
39 biennium;

1 (b) Allotment modifications authorized under this subsection may
2 not result in increased funding for any project beyond the amount
3 provided for that project in the 2019-2021 fiscal biennium in LEAP
4 Transportation Document 2020-2 ALL PROJECTS as developed March 11,
5 2020;

6 (c) Allotment modifications authorized under this subsection
7 apply only to amounts appropriated in this section from the following
8 accounts: Puget Sound capital construction account—state,
9 transportation partnership account—state, and capital vessel
10 replacement account—state; and

11 (d) By December 1, 2020, the department must submit a report to
12 the transportation committees of the legislature regarding the
13 actions taken under this subsection.

****Sec. 308 is partially vetoed. See message at end of chapter.***

14 ***Sec. 309.** 2019 c 416 s 310 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

17 Motor Vehicle Account—State Appropriation.	((\$1,750,000))
	<u>\$3,300,000</u>
19 Essential Rail Assistance Account—State Appropriation	((\$500,000))
	<u>\$851,000</u>
21 Transportation Infrastructure Account—State	
22 Appropriation	\$7,554,000
23 Multimodal Transportation Account—State	
24 Appropriation	((\$85,441,000))
	<u>\$74,876,000</u>
26 Multimodal Transportation Account—Federal	
27 Appropriation	((\$8,302,000))
	<u>\$8,601,000</u>
29 Multimodal Transportation Account—Local	
30 Appropriation	\$336,000
31 TOTAL APPROPRIATION.	((\$103,883,000))
	<u>\$95,518,000</u>

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

35 (1) Except as provided otherwise in this section, the entire
36 appropriations in this section are provided solely for the projects
37 and activities as listed by project and amount in LEAP Transportation

1 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April-27,
2 2019)) March 11, 2020, Program - Rail Program (Y).

3 (2) \$7,136,000 of the transportation infrastructure account—state
4 appropriation is provided solely for new low-interest loans approved
5 by the department through the freight rail investment bank (FRIB)
6 program. The department shall issue FRIB program loans with a
7 repayment period of no more than ten years, and charge only so much
8 interest as is necessary to recoup the department's costs to
9 administer the loans. The department shall report annually to the
10 transportation committees of the legislature and the office of
11 financial management on all FRIB loans issued.

12 (3) ((~~\$8,112,000~~)) \$7,782,000 of the multimodal transportation
13 account—state appropriation, \$51,000 of the transportation
14 infrastructure account—state appropriation, and \$135,000 of the
15 essential rail assistance account—state appropriation are provided
16 solely for new statewide emergent freight rail assistance projects
17 identified in the LEAP transportation document referenced in
18 subsection (1) of this section.

19 (4) \$367,000 of the transportation infrastructure account—state
20 appropriation and \$1,100,000 of the multimodal transportation account
21 —state appropriation are provided solely to reimburse Highline Grain,
22 LLC for approved work completed on Palouse River and Coulee City
23 (PCC) railroad track in Spokane county between the BNSF Railway
24 Interchange at Cheney and Geiger Junction and must be administered in
25 a manner consistent with freight rail assistance program projects.
26 The value of the public benefit of this project is expected to meet
27 or exceed the cost of this project in: Shipper savings on
28 transportation costs; jobs saved in rail-dependent industries; and/or
29 reduced future costs to repair wear and tear on state and local
30 highways due to fewer annual truck trips (reduced vehicle miles
31 traveled). The amounts provided in this subsection are not a
32 commitment for future legislatures, but it is the legislature's
33 intent that future legislatures will work to approve biennial
34 appropriations until the full \$7,337,000 cost of this project is
35 reimbursed.

36 (5) (a) ((~~\$365,000~~)) \$716,000 of the essential rail assistance
37 account—state appropriation ((~~is~~)) and \$82,000 of the multimodal
38 transportation account—state appropriation are provided solely for

1 the purpose of the rehabilitation and maintenance of the Palouse
2 river and Coulee City railroad line (F01111B).

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

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

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

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

14 (6) The department shall issue a call for projects for the
15 freight rail assistance program, and shall evaluate the applications
16 in a manner consistent with past practices as specified in section
17 309, chapter 367, Laws of 2011. By November 15, 2020, the department
18 shall submit a prioritized list of recommended projects to the office
19 of financial management and the transportation committees of the
20 legislature.

21 (7) \$10,000,000 of the multimodal transportation account—state
22 appropriation is provided solely as expenditure authority for any
23 insurance proceeds received by the state for Passenger Rail Equipment
24 Replacement (project 700010C.) The department must use this
25 expenditure authority only to purchase (~~new train sets~~) replacement
26 equipment that (~~have~~) has been competitively procured and for
27 service recovery needs and corrective actions related to the December
28 2017 derailment.

29 (8) (~~\$600,000~~) \$898,000 of the multimodal transportation
30 account—federal appropriation and (~~\$6,000~~) \$8,000 of the multimodal
31 transportation account—state appropriation are provided solely for
32 the Ridgefield Rail Overpass (project 725910A). Total costs for this
33 project may not exceed \$909,000 across fiscal biennia.

34 (9) (a) For projects funded as part of the 2015 connecting
35 Washington transportation package listed on the LEAP transportation
36 document identified in subsection (1) of this section, if the
37 department expects to have substantial reappropriations for the
38 2021-2023 fiscal biennium, the department may, on a pilot basis,
39 apply funding from a project in this section with an appropriation

1 that cannot be used for the current fiscal biennium to advance the
2 South Kelso Railroad Crossing project (L1000147).

3 (b) At least ten business days before advancing the project
4 pursuant to this subsection, the department must notify the office of
5 financial management and the transportation committees of the
6 legislature. The advancement of the project may not hinder the
7 delivery of the projects for which the reappropriations are necessary
8 for the 2021-2023 fiscal biennium.

9 (c) To the extent practicable, the department shall use the
10 flexibility and authority granted in this section to minimize the
11 amount of reappropriations needed each biennium.

12 (10) The multimodal transportation account—state appropriation
13 includes up to (~~(\$19,592,000)~~) \$25,000,000 in proceeds from the sale
14 of bonds authorized in RCW 47.10.867.

15 (11) The department must report to the joint transportation
16 committee on the progress made on freight rail investment bank
17 projects and freight rail assistance projects funded during this
18 biennium by January 1, 2020.

19 (12) \$1,500,000 of the multimodal transportation account—state
20 appropriation is provided solely for the Chelatchie Prairie railroad
21 roadbed rehabilitation project (L1000233).

22 (13) \$250,000 of the multimodal transportation account—state
23 appropriation is provided solely for the Port of Moses Lake Northern
24 Columbia Basin railroad feasibility study (L1000235).

25 (14) \$500,000 of the multimodal transportation account—state
26 appropriation is provided solely for the Spokane airport transload
27 facility project (L1000242).

28 (15) \$1,000,000 of the motor vehicle account—state appropriation
29 is provided solely for the grade separation at Bell road project
30 (L1000239) (~~(; however, if at least \$50,000,000 is not made available,~~
31 ~~by means of transfer, deposit, appropriation, or other similar~~
32 ~~conveyance, to the motor vehicle account for stormwater-related~~
33 ~~activities through the enactment of chapter 422 (Engrossed Substitute~~
34 ~~Senate Bill No. 5993), Laws of 2019 (model toxics control program~~
35 ~~reform) by June 30, 2019, the amount provided in this subsection~~
36 ~~lapses)).~~

37 (16) \$750,000 of the motor vehicle account—state appropriation
38 (~~(is)~~) and \$399,000 of the multimodal transportation account—state
39 appropriation are provided solely for the rail crossing improvements

1 at 6th Ave. and South 19th St. project (L2000289) (~~(; however, if at~~
2 ~~least \$50,000,000 is not made available, by means of transfer,~~
3 ~~deposit, appropriation, or other similar conveyance, to the motor~~
4 ~~vehicle account for stormwater-related activities through the~~
5 ~~enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),~~
6 ~~Laws of 2019 (model toxics control program reform) by June 30, 2019,~~
7 ~~the amount provided in this subsection lapses)).~~

8 **(17) It is the intent of the legislature that no capital projects**
9 **be eliminated or substantially delayed as a result of revenue**
10 **reductions, but that as a short-term solution appropriation authority**
11 **for this program is reduced to reflect anticipated underruns in this**
12 **program, based on historical reappropriation levels.**

13 (18) The appropriations in this section include savings due to
14 anticipated project underruns; however, it is unknown which projects
15 will provide savings. The legislature intends to provide sufficient
16 flexibility for the department to manage to this savings target. To
17 provide this flexibility, the office of financial management may
18 authorize, through an allotment modification, reductions in the
19 appropriated amounts that are provided solely for a particular
20 purpose within this section subject to the following conditions and
21 limitations:

22 (a) The department must confirm that any modification requested
23 under this subsection of amounts provided solely for a specific
24 purpose are not expected to be used for that purpose in this
25 biennium;

26 (b) Allotment modifications authorized under this subsection may
27 not result in increased funding for any project beyond the amount
28 provided for that project in the 2019-2021 fiscal biennium in LEAP
29 Transportation Document 2020-2 ALL PROJECTS as developed March 11,
30 2020;

31 (c) Allotment modifications authorized under this subsection
32 apply only to amounts appropriated in this section from the
33 multimodal transportation account—state; and

34 (d) By December 1, 2020, the department must submit a report to
35 the transportation committees of the legislature regarding the
36 actions taken under this subsection.

****Sec. 309 is partially vetoed. See message at end of chapter.***

37 ***Sec. 310.** 2019 c 416 s 311 (uncodified) is amended to read as
38 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**

2 **CAPITAL**

3	Highway Infrastructure Account—State Appropriation . . .	((\$793,000))
4		<u>\$1,276,000</u>
5	Highway Infrastructure Account—Federal Appropriation . .	((\$981,000))
6		<u>\$1,337,000</u>
7	Transportation Partnership Account—State	
8	Appropriation	((\$750,000))
9		<u>\$2,380,000</u>
10	Highway Safety Account—State Appropriation	((\$800,000))
11		<u>\$1,314,000</u>
12	Motor Vehicle Account—State Appropriation	((\$30,878,000))
13		<u>\$35,607,000</u>
14	Motor Vehicle Account—Federal Appropriation	((\$33,813,000))
15		<u>\$41,420,000</u>
16	Motor Vehicle Account—Private/Local Appropriation . .	((\$21,500,000))
17		<u>\$24,600,000</u>
18	Connecting Washington Account—State Appropriation .	((\$172,454,000))
19		<u>\$155,550,000</u>
20	Multimodal Transportation Account—State	
21	Appropriation	((\$72,269,000))
22		<u>\$77,469,000</u>
23	TOTAL APPROPRIATION.	((\$334,238,000))
24		<u>\$340,953,000</u>

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

27 (1) Except as provided otherwise in this section, the entire
28 appropriations in this section are provided solely for the projects
29 and activities as listed by project and amount in LEAP Transportation
30 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27,
31 2019)) March 11, 2020, Program - Local Programs Program (Z).

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

35 (a) \$18,380,000 of the multimodal transportation account—state
36 appropriation is provided solely for newly selected pedestrian and
37 bicycle safety program projects. ((~~\$5,940,000~~)) \$18,577,000 of the
38 multimodal transportation account—state appropriation and
39 ((~~\$750,000~~)) \$1,380,000 of the transportation partnership account—

1 state appropriation are reappropriated for pedestrian and bicycle
2 safety program projects selected in the previous biennia (L2000188).

3 (b) \$11,400,000 of the motor vehicle account—federal
4 appropriation and \$7,750,000 of the multimodal transportation account
5 —state appropriation are provided solely for newly selected safe
6 routes to school projects. (~~(\$6,690,000)~~) \$11,354,000 of the motor
7 vehicle account—federal appropriation, (~~(\$2,320,000)~~) \$4,640,000 of
8 the multimodal transportation account—state appropriation, and
9 (~~(\$800,000)~~) \$1,314,000 of the highway safety account—state
10 appropriation are reappropriated for safe routes to school projects
11 selected in the previous biennia (L2000189). The department may
12 consider the special situations facing high-need areas, as defined by
13 schools or project areas in which the percentage of the children
14 eligible to receive free and reduced-price meals under the national
15 school lunch program is equal to, or greater than, the state average
16 as determined by the department, when evaluating project proposals
17 against established funding criteria while ensuring continued
18 compliance with federal eligibility requirements.

19 (3) The department shall submit a report to the transportation
20 committees of the legislature by December 1, 2019, and December 1,
21 2020, on the status of projects funded as part of the pedestrian
22 safety/safe routes to school grant program. The report must include,
23 but is not limited to, a list of projects selected and a brief
24 description of each project's status.

25 (4) (~~(\$28,319,000)~~) \$37,537,000 of the multimodal transportation
26 account—state appropriation is provided solely for bicycle and
27 pedestrian projects listed in the LEAP transportation document
28 referenced in subsection (1) of this section.

29 (5) (~~(\$19,160,000)~~) \$23,926,000 of the connecting Washington
30 account—state appropriation is provided solely for the Covington
31 Connector (L2000104). The amounts described in the LEAP
32 transportation document referenced in subsection (1) of this section
33 are not a commitment by future legislatures, but it is the
34 legislature's intent that future legislatures will work to approve
35 appropriations in the 2019-2021 fiscal biennium to reimburse the city
36 of Covington for approved work completed on the project up to the
37 full \$24,000,000 cost of this project.

38 (6) (a) For projects funded as part of the 2015 connecting
39 Washington transportation package listed on the LEAP transportation

1 document identified in subsection (1) of this section, if the
2 department expects to have substantial reappropriations for the
3 2021-2023 fiscal biennium, the department may, on a pilot basis,
4 apply funding from a project in this section with an appropriation
5 that cannot be used for the current fiscal biennium to advance one or
6 more of the following projects:

7 ~~(i) ((East-West Corridor Overpass and Bridge (L2000067));~~

8 ~~(ii) 41st Street Rucker Avenue Freight Corridor Phase 2~~
9 ~~(L2000134);~~

10 ~~(iii) Mottman Rd Pedestrian & Street Improvements (L1000089);~~

11 ~~(iv)) I-5/Port of Tacoma Road Interchange (L1000087);~~

12 ~~((v) Complete SR 522 Improvements-Kenmore (T10600R);~~

13 ~~(vi))~~ (ii) SR 99 Revitalization in Edmonds (NEDMOND); or

14 ~~((vii))~~ (iii) SR 523 145th Street (L1000148);

15 (b) At least ten business days before advancing a project
16 pursuant to this subsection, the department must notify the office of
17 financial management and the transportation committees of the
18 legislature. The advancement of a project may not hinder the delivery
19 of the projects for which the reappropriations are necessary for the
20 2021-2023 fiscal biennium.

21 (c) To the extent practicable, the department shall use the
22 flexibility and authority granted in this section to minimize the
23 amount of reappropriations needed each biennium.

24 (7) It is the expectation of the legislature that the department
25 will be administering a local railroad crossing safety grant program
26 for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

27 (8) (a) \$15,213,000 of the motor vehicle account—federal
28 appropriation is provided solely for national highway freight network
29 projects identified on the project list submitted in accordance with
30 section 218(4) (b), chapter 14, Laws of 2016 on October 31, 2016.

31 ~~(b) ((In advance of the expiration of the fixing America's~~
32 ~~surface transportation (FAST) act in 2020, the department must work~~
33 ~~with the Washington state freight advisory committee to agree on a~~
34 ~~framework for allocation of any new national highway freight funding~~
35 ~~that may be approved in a new federal surface transportation~~
36 ~~reauthorization act. The department and representatives of the~~
37 ~~advisory committee must report to the joint transportation committee~~
38 ~~by October 1, 2020, on the status of planning for allocating new~~
39 ~~funds for this program.))~~ The department shall convene a stakeholder
40 group for the purpose of developing a recommendation for a Washington

1 freight advisory committee. The recommendations must include, but are
2 not limited to, defining the committee's purpose and goals, roles and
3 responsibilities, reporting structure, and proposed activities.
4 Stakeholders must include representation from, but not limited to,
5 the trucking industry, the maritime industry, the rail industry,
6 cities, tribal governments, counties, ports, and representatives from
7 key industrial associations important to the state's economic
8 vitality and other relevant public and private interests. In
9 developing the recommendation, the stakeholder group must review
10 practices used by other states. The proposed committee must conform
11 with requirements of the fixing America's surface transportation act
12 and other relevant federal legislation. The recommendations must
13 include how the committee can address improving freight mobility
14 including, but not limited to, addressing insufficient truck parking
15 in Washington state, examining the link between preservation
16 investments and freight mobility, and enhancing freight logistics
17 through the application of technology. The stakeholder group shall
18 make recommendations to the governor and the transportation
19 committees of the legislature by December 1, 2020.

20 (9) \$1,000,000 of the motor vehicle account—state appropriation
21 is provided solely for the Beech Street Extension project (L1000222)
22 (~~(; however, if at least \$50,000,000 is not made available, by means~~
23 ~~of transfer, deposit, appropriation, or other similar conveyance, to~~
24 ~~the motor vehicle account for stormwater-related activities through~~
25 ~~the enactment of chapter 422 (Engrossed Substitute Senate Bill No.~~
26 ~~5993), Laws of 2019 (model toxics control program reform) by June 30,~~
27 ~~2019, the amount provided in this subsection lapses)).~~

28 (10) \$3,900,000 of the motor vehicle account—state appropriation
29 is provided solely for the Dupont-Steilacoom road improvements
30 project (L1000224) (~~(; however, if at least \$50,000,000 is not made~~
31 ~~available, by means of transfer, deposit, appropriation, or other~~
32 ~~similar conveyance, to the motor vehicle account for stormwater-~~
33 ~~related activities through the enactment of chapter 422 (Engrossed~~
34 ~~Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control~~
35 ~~program reform) by June 30, 2019, the amount provided in this~~
36 ~~subsection lapses)).~~

37 (11) \$650,000 of the motor vehicle account—state appropriation is
38 provided solely for the SR 104/40th place northeast roundabout
39 project (L1000244) (~~(; however, if at least \$50,000,000 is not made~~

1 available, by means of transfer, deposit, appropriation, or other
2 similar conveyance, to the motor vehicle account for stormwater-
3 related activities through the enactment of chapter 422 (Engrossed
4 Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control
5 program reform) by June 30, 2019, the amount provided in this
6 subsection lapses).

7 (12) \$860,000 of the multimodal transportation account—state
8 appropriation is provided solely for the Clinton to Ken's corner
9 trail project (L1000249).

10 (13) \$210,000 of the motor vehicle account—state appropriation is
11 provided solely for the I-405/44th gateway signage and green-scaping
12 improvements project (L1000250) (~~(; however, if at least \$50,000,000~~
13 ~~is not made available, by means of transfer, deposit, appropriation,~~
14 ~~or other similar conveyance, to the motor vehicle account for~~
15 ~~stormwater-related activities through the enactment of chapter 422~~
16 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
17 ~~toxics control program reform) by June 30, 2019, the amount provided~~
18 ~~in this subsection lapses)).~~

19 (14) (~~(\$750,000 of the multimodal transportation account—state~~
20 ~~appropriation is provided solely for the Edmonds waterfront connector~~
21 ~~project (L1000252).~~

22 ~~(15))~~ \$650,000 of the motor vehicle account—state appropriation
23 is provided solely for the Wallace Kneeland and Shelton springs road
24 intersection improvements project (L1000260) (~~(; however, if at least~~
25 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
26 ~~appropriation, or other similar conveyance, to the motor vehicle~~
27 ~~account for stormwater-related activities through the enactment of~~
28 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
29 ~~(model toxics control program reform) by June 30, 2019, the amount~~
30 ~~provided in this subsection lapses)).~~

31 (~~(16))~~) (15) \$1,000,000 of the motor vehicle account—state
32 appropriation and \$500,000 of the multimodal transportation account—
33 state appropriation are provided solely for the complete 224th Phase
34 two project (L1000270) (~~(; however, if at least \$50,000,000 is not~~
35 ~~made available, by means of transfer, deposit, appropriation, or~~
36 ~~other similar conveyance, to the motor vehicle account for~~
37 ~~stormwater-related activities through the enactment of chapter 422~~
38 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
39 ~~toxics control program reform) by June 30, 2019, the amount in this~~

1 ~~subsection provided from the motor vehicle account state~~
2 ~~appropriation lapses).~~

3 ~~((17))~~ (16) \$60,000 of the multimodal transportation account—
4 state appropriation is provided solely for the installation of an
5 updated meteorological station at the Colville airport (L1000279).

6 ~~((18))~~ (17)(a) \$700,000 of the motor vehicle account—state
7 appropriation is provided solely for the Ballard-Interbay Regional
8 Transportation system plan project (L1000281) ~~(; however, if at least~~
9 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
10 ~~appropriation, or other similar conveyance, to the motor vehicle~~
11 ~~account for stormwater-related activities through the enactment of~~
12 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
13 ~~(model toxics control program reform) by June 30, 2019, the amount~~
14 ~~provided in this subsection lapses).~~

15 (b) Funding in this subsection is provided solely for the city of
16 Seattle to develop a plan and report for the Ballard-Interbay
17 Regional Transportation System project to improve mobility for people
18 and freight. The plan must be developed in coordination and
19 partnership with entities including but not limited to the city of
20 Seattle, King county, the Port of Seattle, Sound Transit, the
21 Washington state military department for the Seattle armory, and the
22 Washington state department of transportation. The plan must examine
23 replacement of the Ballard bridge and the Magnolia bridge, which was
24 damaged in the 2001 Nisqually earthquake. The city must provide a
25 report on the plan that includes recommendations to the Seattle city
26 council, King county council, and the transportation committees of
27 the legislature by November 1, 2020. The report must include
28 recommendations on how to maintain the current and future capacities
29 of the Magnolia and Ballard bridges, an overview and analysis of all
30 plans between 2010 and 2020 that examine how to replace the Magnolia
31 bridge, and recommendations on a timeline for constructing new
32 Magnolia and Ballard bridges.

33 ~~((19))~~ (18) \$750,000 of the motor vehicle account—state
34 appropriation is provided solely for the Mickelson Parkway project
35 (L1000282) ~~(; however, if at least \$50,000,000 is not made available,~~
36 ~~by means of transfer, deposit, appropriation, or other similar~~
37 ~~conveyance, to the motor vehicle account for stormwater-related~~
38 ~~activities through the enactment of chapter 422 (Engrossed Substitute~~
39 ~~Senate Bill No. 5993), Laws of 2019 (model toxics control program~~

1 reform) by June 30, 2019, the amount provided in this subsection
2 lapses)).

3 ~~((20))~~ (19) \$300,000 of the motor vehicle account—state
4 appropriation is provided solely for the South 314th Street
5 Improvements project (L1000283) ~~((; however, if at least \$50,000,000
6 is not made available, by means of transfer, deposit, appropriation,
7 or other similar conveyance, to the motor vehicle account for
8 stormwater-related activities through the enactment of chapter 422
9 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
10 toxics control program reform) by June 30, 2019, the amount provided
11 in this subsection lapses)).~~

12 ~~((21))~~ (20) \$250,000 of the motor vehicle account—state
13 appropriation is provided solely for the Ridgefield South I-5 Access
14 Planning project (L1000284) ~~((; however, if at least \$50,000,000 is
15 not made available, by means of transfer, deposit, appropriation, or
16 other similar conveyance, to the motor vehicle account for
17 stormwater-related activities through the enactment of chapter 422
18 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model
19 toxics control program reform) by June 30, 2019, the amount provided
20 in this subsection lapses)).~~

21 ~~((22))~~ (21) \$300,000 of the motor vehicle account—state
22 appropriation is provided solely for the Washougal 32nd Street
23 Underpass Design and Permitting project (L1000285) ~~((; however, if at
24 least \$50,000,000 is not made available, by means of transfer,
25 deposit, appropriation, or other similar conveyance, to the motor
26 vehicle account for stormwater-related activities through the
27 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
28 Laws of 2019 (model toxics control program reform) by June 30, 2019,
29 the amount provided in this subsection lapses)).~~

30 ~~((23))~~ (22) \$600,000 of the connecting Washington account—state
31 appropriation, \$150,000 of the motor vehicle account—state
32 appropriation, and ~~((50,000))~~ \$267,000 of the multimodal
33 transportation account—state appropriation are provided solely for
34 the Bingen Walnut Creek and Maple Railroad Crossing (L2000328) ~~((;~~
35 however, if at least \$50,000,000 is not made available, by means of
36 transfer, deposit, appropriation, or other similar conveyance, to the
37 motor vehicle account for stormwater-related activities through the
38 enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993),
39 Laws of 2019 (model toxics control program reform) by June 30, 2019,

1 ~~the amount in this subsection provided from the motor vehicle account~~
2 ~~—state appropriation lapses)).~~

3 ~~((+24))~~ (23) \$1,500,000 of the motor vehicle account—state
4 appropriation is provided solely for the SR 303 Warren Avenue Bridge
5 Pedestrian Improvements project (L2000339) ~~((; however, if at least~~
6 ~~\$50,000,000 is not made available, by means of transfer, deposit,~~
7 ~~appropriation, or other similar conveyance, to the motor vehicle~~
8 ~~account for stormwater-related activities through the enactment of~~
9 ~~chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019~~
10 ~~(model toxics control program reform) by June 30, 2019, the amount~~
11 ~~provided in this subsection lapses)).~~

12 ~~((+25))~~ (24) \$1,000,000 of the motor vehicle account—state
13 appropriation is provided solely for the 72nd/Washington Improvements
14 in Yakima project (L2000341) ~~((; however, if at least \$50,000,000 is~~
15 ~~not made available, by means of transfer, deposit, appropriation, or~~
16 ~~other similar conveyance, to the motor vehicle account for~~
17 ~~stormwater-related activities through the enactment of chapter 422~~
18 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
19 ~~toxics control program reform) by June 30, 2019, the amount provided~~
20 ~~in this subsection lapses)).~~

21 ~~((+26))~~ (25) \$650,000 of the motor vehicle account—state
22 appropriation is provided solely for the 48th/Washington Improvements
23 in Yakima project (L2000342) ~~((; however, if at least \$50,000,000 is~~
24 ~~not made available, by means of transfer, deposit, appropriation, or~~
25 ~~other similar conveyance, to the motor vehicle account for~~
26 ~~stormwater-related activities through the enactment of chapter 422~~
27 ~~(Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model~~
28 ~~toxics control program reform) by June 30, 2019, the amount provided~~
29 ~~in this subsection lapses)).~~

30 **(26) It is the intent of the legislature that no capital projects**
31 **will be eliminated or substantially delayed as a result of revenue**
32 **reductions, but that as a short-term solution appropriation authority**
33 **for this program is reduced to reflect anticipated underruns in this**
34 **program, based on historical reappropriation levels.**

35 (27) The appropriations in this section include savings due to
36 anticipated project underruns; however, it is unknown which projects
37 will provide savings. The legislature intends to provide sufficient
38 flexibility for the department to manage to this savings target. To
39 provide this flexibility, the office of financial management may

1 authorize, through an allotment modification, reductions in the
2 appropriated amounts that are provided solely for a particular
3 purpose within this section subject to the following conditions and
4 limitations:

5 (a) The department must confirm that any modification requested
6 under this subsection of amounts provided solely for a specific
7 purpose are not expected to be used for that purpose in this
8 biennium;

9 (b) Allotment modifications authorized under this subsection may
10 not result in increased funding for any project beyond the amount
11 provided for that project in the 2019-2021 fiscal biennium in LEAP
12 Transportation Document 2020-2 ALL PROJECTS as developed March 11,
13 2020;

14 (c) Allotment modifications authorized under this subsection
15 apply only to amounts appropriated in this section from the following
16 accounts: Connecting Washington account—state and multimodal
17 transportation account—state; and

18 (d) By December 1, 2020, the department must submit a report to
19 the transportation committees of the legislature regarding the
20 actions taken under this subsection.

****Sec. 310 is partially vetoed. See message at end of chapter.***

21 **Sec. 311.** 2019 c 416 s 313 (uncodified) is amended to read as
22 follows:

23 **QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

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

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

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

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

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

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

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

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

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

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

15 (2) For completed projects, the report must:

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

20 (b) Provide a list of nickel (~~and~~), TPA, and connecting
21 Washington projects charging to the nickel/TPA/CWA environmental
22 mitigation reserve (OBI4ENV) and the amount each project is charging.

23 (3) For prospective projects, the report must:

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

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

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

36 **TRANSFERS AND DISTRIBUTIONS**

37 **Sec. 401.** 2019 c 416 s 401 (uncodified) is amended to read as
38 follows:

1 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 2 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
 3 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
 4 **REVENUE**

5	Special Category C Account—State Appropriation.	((\$376,000))
6		<u>\$105,000</u>
7	Multimodal Transportation Account—State Appropriation.	\$125,000
8	Transportation Partnership Account—State Appropriation ((\$1,636,000))	
9		<u>\$1,407,000</u>
10	Connecting Washington Account—State Appropriation.	((\$7,599,000))
11		<u>\$7,723,000</u>
12	Highway Bond Retirement Account—State	
13	Appropriation.	((\$1,327,766,000))
14		<u>\$1,378,835,000</u>
15	Ferry Bond Retirement Account—State Appropriation.	((\$25,077,000))
16		<u>\$25,078,000</u>
17	Transportation Improvement Board Bond Retirement	
18	Account—State Appropriation.	((\$12,684,000))
19		<u>\$12,452,000</u>
20	Nondebt-Limit Reimbursable Bond Retirement	
21	Account—State Appropriation.	((\$29,594,000))
22		<u>\$31,253,000</u>
23	Toll Facility Bond Retirement Account—State	
24	Appropriation.	((\$86,493,000))
25		<u>\$86,483,000</u>
26	TOTAL APPROPRIATION.	((\$1,491,340,000))
27		<u>\$1,543,461,000</u>

28 **Sec. 402.** 2019 c 416 s 402 (uncodified) is amended to read as
 29 follows:

30 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 31 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
 32 **FISCAL AGENT CHARGES**

33	Multimodal Transportation Account—State Appropriation.	\$25,000
34	Transportation Partnership Account—State	
35	Appropriation.	((\$327,000))
36		<u>\$281,000</u>
37	Connecting Washington Account—State Appropriation.	((\$1,520,000))

1 \$1,599,000
 2 Special Category C Account—State Appropriation. (~~(\$75,000)~~)
 3 \$21,000
 4 TOTAL APPROPRIATION. (~~(\$1,947,000)~~)
 5 \$1,926,000

6 **Sec. 403.** 2019 c 416 s 403 (uncodified) is amended to read as
 7 follows:

8 **FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

9 Motor Vehicle Account—State Appropriation:
 10 For motor vehicle fuel tax distributions to
 11 cities and counties. (~~(\$518,198,000)~~)
 12 \$508,276,000

13 **Sec. 404.** 2019 c 416 s 404 (uncodified) is amended to read as
 14 follows:

15 **FOR THE STATE TREASURER—TRANSFERS**

16 Motor Vehicle Account—State Appropriation:
 17 For motor vehicle fuel tax refunds and
 18 statutory transfers. (~~(\$2,188,945,000)~~)
 19 \$2,146,790,000

20 **Sec. 405.** 2019 c 416 s 405 (uncodified) is amended to read as
 21 follows:

22 **FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

23 Motor Vehicle Account—State Appropriation:
 24 For motor vehicle fuel tax refunds and
 25 transfers. (~~(\$220,426,000)~~)
 26 \$235,788,000

27 **Sec. 406.** 2019 c 416 s 406 (uncodified) is amended to read as
 28 follows:

29 **FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

30 (1) Highway Safety Account—State Appropriation:
 31 For transfer to the Multimodal Transportation
 32 Account—State. (~~(\$10,000,000)~~)
 33 \$54,000,000

34 (2) Transportation Partnership Account—State

1 Appropriation: For transfer to the Motor Vehicle
2 Account—State. ((~~\$50,000,000~~))
3 \$45,000,000
4 (3) Motor Vehicle Account—State Appropriation:
5 For transfer to the State Patrol Highway
6 Account—State. ((~~\$7,000,000~~))
7 \$57,000,000
8 (4) Motor Vehicle Account—State Appropriation:
9 For transfer to the Freight Mobility Investment
10 Account—State. ((~~\$8,511,000~~))
11 \$8,070,000
12 (5) Motor Vehicle Account—State Appropriation:
13 For transfer to the Rural Arterial Trust
14 Account—State. ((~~\$4,844,000~~))
15 \$1,732,000
16 (6) Motor Vehicle Account—State Appropriation:
17 For transfer to the Transportation Improvement
18 Account—State. ((~~\$9,688,000~~))
19 \$5,067,000
20 ~~(7) ((Highway Safety Account—State Appropriation:~~
21 ~~For transfer to the State Patrol Highway~~
22 ~~Account—State. \$44,000,000~~
23 ~~(8))~~ Motor Vehicle Account—State Appropriation: For transfer to
24 the Puget Sound Capital Construction Account—State. . . . \$52,000,000
25 (8) Motor Vehicle Account—State Appropriation: For transfer to
26 the Puget Sound Ferry Operations Account—State. \$55,000,000
27 (9) Rural Mobility Grant Program Account—State
28 Appropriation: For transfer to the Multimodal
29 Transportation Account—State. \$3,000,000
30 ~~((9))~~ (10) State Route Number 520 Civil Penalties
31 Account—State Appropriation: For transfer to
32 the State Route Number 520 Corridor
33 Account—State. \$1,434,000
34 ~~((10))~~ (11) Capital Vessel Replacement Account—State
35 Appropriation: For transfer to the Connecting
36 Washington Account—State. ((~~\$50,000,000~~))
37 \$60,000,000
38 ~~((11) Multimodal Transportation Account—State~~
39 ~~Appropriation: For transfer to the Freight~~

1 ~~((20))~~ (18) (a) General Fund Account—State Appropriation:
2 For transfer to the State Patrol Highway
3 Account—State. \$625,000

4 (b) The state treasurer shall transfer the funds only after
5 receiving notification from the Washington state patrol under section
6 207(7) ~~((of this act))~~, chapter 416, Laws of 2019.

7 ~~((21))~~ (19) Capital Vessel Replacement Account—State
8 Appropriation: For transfer to the Transportation
9 Partnership Account—State. ~~(\$3,293,000)~~
10 \$2,312,000

11 ~~((22))~~ (20) (a) Alaskan Way Viaduct Replacement Project
12 Account—State Appropriation: For transfer to the
13 Transportation Partnership Account—State. ~~(\$19,262,000)~~
14 \$15,858,000

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

18 ~~((23))~~ (21) Tacoma Narrows Toll Bridge Account—State
19 Appropriation: For transfer to the Motor
20 Vehicle Account—State. \$950,000

21 ~~((24))~~ (22) (a) Tacoma Narrows Toll Bridge Account—State
22 Appropriation:
23 For transfer to the Motor Vehicle
24 Account—State. \$5,000,000

25 (b) A transfer in the amount of \$5,000,000 was made from the
26 Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in
27 April 2019. It is the intent of the legislature that this transfer
28 was to be temporary, for the purpose of minimizing the impact of toll
29 increases, and this is an equivalent reimbursing transfer to occur in
30 November 2019.

31 ~~((25))~~ (23) (a) Transportation 2003 Account (Nickel Account)
32 —State Appropriation: For transfer to the Tacoma
33 Narrows Toll Bridge Account—State. \$12,543,000

34 (b) It is the intent of the legislature that this transfer is
35 temporary, for the purpose of minimizing the impact of toll
36 increases, and an equivalent reimbursing transfer is to occur after
37 the debt service and deferred sales tax on the Tacoma Narrows bridge
38 construction costs are fully repaid in accordance with chapter 195,
39 Laws of 2018.

1 funded by expenditures from nonappropriated accounts. If positions
2 are funded with lidded grants or dedicated fund sources with
3 insufficient revenue, additional funding from other sources is not
4 provided.

5 NEW SECTION. **Sec. 502.** A new section is added to 2019 c 416
6 (uncodified) to read as follows:

7 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
8 **AGREEMENTS—MEBA-UL**

9 An agreement has been reached between the governor and the marine
10 engineers' beneficial association unlicensed engine room employees
11 pursuant to chapter 47.64 RCW for the 2021 fiscal year. Funding is
12 provided to ensure training opportunities are available to all
13 bargaining unit employees.

14 NEW SECTION. **Sec. 503.** A new section is added to 2019 c 416
15 (uncodified) to read as follows:

16 **DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING**
17 **AGREEMENTS—MEBA-L**

18 An agreement has been reached between the governor and the marine
19 engineers' beneficial association licensed engineer officers pursuant
20 to chapter 47.64 RCW for the 2021 fiscal year. Funding is provided to
21 ensure training opportunities are available to all bargaining unit
22 employees.

23 NEW SECTION. **Sec. 504.** A new section is added to 2019 c 416
24 (uncodified) to read as follows:

25 **GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS**

26 Except as otherwise provided in sections 501 through 503 of this
27 act, state employee compensation adjustments will be provided in
28 accordance with funding adjustments provided in the 2020 supplemental
29 omnibus appropriations act.

30 **IMPLEMENTING PROVISIONS**

31 **Sec. 601.** 2019 c 416 s 601 (uncodified) is amended to read as
32 follows:

33 **FUND TRANSFERS**

34 (1) The 2005 transportation partnership projects or improvements
35 and 2015 connecting Washington projects or improvements are listed in

1 the LEAP Transportation Document (~~(2019-1)~~) 2020-1 as developed
2 (~~(April 27, 2019)~~) March 11, 2020, which consists of a list of
3 specific projects by fund source and amount over a sixteen-year
4 period. Current fiscal biennium funding for each project is a line-
5 item appropriation, while the outer year funding allocations
6 represent a sixteen-year plan. The department of transportation is
7 expected to use the flexibility provided in this section to assist in
8 the delivery and completion of all transportation partnership account
9 and connecting Washington account projects on the LEAP transportation
10 document referenced in this subsection. For the 2019-2021 project
11 appropriations, unless otherwise provided in this act, the director
12 of the office of financial management may provide written
13 authorization for a transfer of appropriation authority between
14 projects funded with transportation partnership account
15 appropriations or connecting Washington account appropriations to
16 manage project spending and efficiently deliver all projects in the
17 respective program under the following conditions and limitations:

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

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

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

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

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

30 (f) Transfers to a project may not be made with funds designated
31 as attributable to practical design savings as described in RCW
32 47.01.480;

33 (g) Each transfer between projects may only occur if the director
34 of the office of financial management finds that any resulting change
35 will not hinder the completion of the projects as approved by the
36 legislature. Until the legislature reconvenes to consider the 2020
37 supplemental omnibus transportation appropriations act, any
38 unexpended 2017-2019 appropriation balance as approved by the office
39 of financial management, in consultation with the chairs and ranking
40 members of the house of representatives and senate transportation

1 committees, may be considered when transferring funds between
2 projects; and

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

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

17 (3) At the time the department submits a request to transfer
18 funds under this section, a copy of the request must be submitted to
19 the chairs and ranking members of the transportation committees of
20 the legislature.

21 (4) Before approval, the office of financial management shall
22 work with legislative staff of the house of representatives and
23 senate transportation committees to review the requested transfers in
24 a timely manner and consider any concerns raised by the chairs and
25 ranking members of the transportation committees.

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

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

34 **Sec. 602.** 2019 c 416 s 606 (uncodified) is amended to read as
35 follows:

36 **TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING**

37 (1) By November 15th of each year, the department of
38 transportation must report on amounts expended to benefit transit,
39 bicycle, or pedestrian elements within all connecting Washington

1 projects in programs I, P, and Z identified in LEAP Transportation
2 Document ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27,
3 2019)) March 11, 2020. The report must address each modal category
4 separately and identify if eighteenth amendment protected funds have
5 been used and, if not, the source of funding.

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

10 MISCELLANEOUS 2019-2021 FISCAL BIENNIUM

11 **Sec. 701.** 2019 c 416 s 701 (uncodified) is amended to read as
12 follows:

13 INFORMATION TECHNOLOGY OVERSIGHT

14 (1) Agencies must apply to the office of financial management and
15 the office of the state chief information officer for approval before
16 beginning a project or proceeding with each discreet stage of a
17 project subject to this section. At each stage, the office of the
18 state chief information officer must certify that the project has an
19 approved technology budget and investment plan, complies with state
20 information technology and security requirements, and other policies
21 defined by the office of the state chief information officer. The
22 office of financial management must notify the fiscal committees of
23 the legislature of the receipt of each application and may not
24 approve a funding request for ten business days from the date of
25 notification.

26 (2) (a) Each project must have a technology budget. The technology
27 budget must use a method similar to the state capital budget,
28 identifying project costs, each fund source, and anticipated
29 deliverables through each stage of the entire project investment and
30 across fiscal periods and biennia from project onset through
31 implementation and close out.

32 (b) As part of the development of a technology budget and at each
33 request for funding, the agency shall submit detailed financial
34 information to the office of financial management and the office of
35 the state chief information officer. The technology budget must
36 describe the total cost of the project by fiscal month to include and
37 identify:

38 (i) Fund sources;

- 1 (ii) Full-time equivalent staffing level to include job
- 2 classification assumptions;
- 3 (iii) A discreet appropriation index and program index;
- 4 (iv) Object and subobject codes of expenditures; and
- 5 (v) Anticipated deliverables.

6 (c) If a project technology budget changes and a revised
7 technology budget is completed, a comparison of the revised
8 technology budget to the last approved technology budget must be
9 posted to the dashboard, to include a narrative rationale on what
10 changed, why, and how that impacts the project in scope, budget, and
11 schedule.

12 (3) (a) Each project must have an investment plan that includes:

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

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

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

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

23 (v) Ongoing maintenance and operations cost of the project post
24 implementation and close out delineated by agency staffing,
25 contracted staffing, and service level agreements; and

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

28 (4) Projects with estimated costs greater than one hundred
29 million dollars from initiation to completion and implementation may
30 be divided into discrete subprojects as determined by the office of
31 the state chief information officer. Each subproject must have a
32 technology budget and investment plan as provided in this section.

33 (5) (a) The office of the state chief information officer shall
34 maintain an information technology project dashboard that provides
35 updated information each fiscal month on projects subject to this
36 section. This includes, at least:

37 (i) Project changes each fiscal month;

38 (ii) Noting if the project has a completed market requirements
39 document;

1 (iii) Financial status of information technology projects under
2 oversight; (~~and~~)
3 (iv) Coordination with agencies;
4 (v) Monthly quality assurance reports, if applicable;
5 (vi) Monthly office of the state chief information officer status
6 reports;
7 (vii) Historical project budget and expenditures through fiscal
8 year 2019;
9 (viii) Budget and expenditures each fiscal month; and
10 (ix) Estimated annual maintenance and operations costs by fiscal
11 year.
12 (b) The dashboard must retain a roll up of the entire project
13 cost, including all subprojects, that can be displayed the subproject
14 detail.
15 (6) If the project affects more than one agency:
16 (a) A separate technology budget and investment plan must be
17 prepared for each agency; and
18 (b) The dashboard must contain a statewide project technology
19 budget roll up that includes each affected agency at the subproject
20 level.
21 (7) For any project that exceeds two million dollars in total
22 funds to complete, requires more than one biennium to complete, or is
23 financed through financial contracts, bonds, or other indebtedness:
24 (a) Quality assurance for the project must report independently
25 the office of the chief information officer;
26 (b) The office of the chief information officer must review, and,
27 if necessary, revise the proposed project to ensure it is flexible
28 and adaptable to advances in technology;
29 (c) The technology budget must specifically identify the uses of
30 any financing proceeds. No more than thirty percent of the financing
31 proceeds may be used for payroll-related costs for state employees
32 assigned to project management, installation, testing, or training;
33 (d) The agency must consult with the office of the state
34 treasurer during the competitive procurement process to evaluate
35 early in the process whether products and services to be solicited
36 and the responsive bids from a solicitation may be financed; and
37 (e) The agency must consult with the contracting division of the
38 department of enterprise services for a review of all contracts and
39 agreements related to the project's information technology
40 procurements.

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

5 (9) The office of the state chief information officer may suspend
6 or terminate a project at any time if it determines that the project
7 is not meeting or not expected to meet anticipated performance and
8 technology outcomes. Once suspension or termination occurs, the
9 agency shall unallot any unused funding and shall not make any
10 expenditure for the project without the approval of the office of
11 financial management. The office of the state chief information
12 officer must report on July 1st and December 1st each calendar year,
13 beginning July 1, 2020, any suspension or termination of a project in
14 the previous six month period to legislative fiscal committees.

15 (10) The office of the state chief information officer, in
16 consultation with the office of financial management, may identify
17 additional projects to be subject to this section, including projects
18 that are not separately identified within an agency budget. The
19 office of the state chief information officer must report on July 1st
20 and December 1st each calendar year, beginning July 1, 2020, any
21 additional projects to be subjected to this section that were
22 identified in the previous six month period to legislative fiscal
23 committees.

24 (11) The following department of transportation projects are
25 subject to the conditions, limitations, and review provided in this
26 section: Labor System Replacement, New Ferry Division Dispatch
27 System, Maintenance Management System, Land Mobile Radio System
28 Replacement, and New CSC System and Operator.

29 **Sec. 702.** RCW 46.68.310 and 2013 c 104 s 4 are each amended to
30 read as follows:

31 The freight mobility multimodal account is created in the state
32 treasury. Money in the account may be spent only after appropriation.
33 Expenditures from the account may be used only for freight mobility
34 projects that have been approved by the freight mobility strategic
35 investment board in RCW 47.06A.020 and may include any principal and
36 interest on bonds authorized for the projects or improvements.
37 However, during the 2019-2021 fiscal biennium, the legislature may
38 direct the state treasurer to make transfers of moneys in the freight
39 mobility multimodal account to the multimodal transportation account.

1 **Sec. 703.** RCW 82.32.385 and 2015 3rd sp.s. c 44 s 420 are each
2 amended to read as follows:

3 (1) Beginning September 2019 and ending (~~June 2021~~) December
4 2019, by the last day of September(~~(7)~~) and December(~~(7, March, and~~
5 ~~June of each year)~~), the state treasurer must transfer from the
6 general fund to the connecting Washington account created in RCW
7 46.68.395 thirteen million six hundred eighty thousand dollars.

8 (2) Beginning March 2020 and ending June 2021, by the last day of
9 September, December, March, and June of each year, the state
10 treasurer must transfer from the general fund to the multimodal
11 transportation account created in RCW 47.66.070 thirteen million six
12 hundred eighty thousand dollars.

13 (3) Beginning September 2021 and ending June 2023, by the last
14 day of September, December, March, and June of each year, the state
15 treasurer must transfer from the general fund to the connecting
16 Washington account created in RCW 46.68.395 thirteen million eight
17 hundred five thousand dollars.

18 (~~(3)~~) (4) Beginning September 2023 and ending June 2025, by the
19 last day of September, December, March, and June of each year, the
20 state treasurer must transfer from the general fund to the connecting
21 Washington account created in RCW 46.68.395 thirteen million nine
22 hundred eighty-seven thousand dollars.

23 (~~(4)~~) (5) Beginning September 2025 and ending June 2027, by the
24 last day of September, December, March, and June of each year, the
25 state treasurer must transfer from the general fund to the connecting
26 Washington account created in RCW 46.68.395 eleven million six
27 hundred fifty-eight thousand dollars.

28 (~~(5)~~) (6) Beginning September 2027 and ending June 2029, by the
29 last day of September, December, March, and June of each year, the
30 state treasurer must transfer from the general fund to the connecting
31 Washington account created in RCW 46.68.395 seven million five
32 hundred sixty-four thousand dollars.

33 (~~(6)~~) (7) Beginning September 2029 and ending June 2031, by the
34 last day of September, December, March, and June of each year, the
35 state treasurer must transfer from the general fund to the connecting
36 Washington account created in RCW 46.68.395 four million fifty-six
37 thousand dollars.

38 **Sec. 704.** RCW 47.66.110 and 2015 3rd sp.s. c 11 s 4 are each
39 amended to read as follows:

1 (1) The transit coordination grant program is created in the
2 department. The purpose of the transit coordination grant program is
3 to encourage joint planning and coordination on the part of central
4 Puget Sound transit systems in order to improve the user experience,
5 increase ridership, and make the most effective use of tax dollars.
6 The department shall oversee, manage, score, select, and evaluate
7 transit coordination grant program project applications, and shall
8 select transit coordination grant recipients annually. A transit
9 agency located in a county or counties with a population of seven
10 hundred thousand or more that border Puget Sound is eligible to apply
11 to the department for transit coordination grants.

12 (2) Projects eligible for transit coordination grants include,
13 but are not limited to, projects that:

14 (a) Integrate marketing efforts;

15 (b) Align fare structures;

16 (c) Integrate service planning;

17 (d) Coordinate long-range planning, including capital projects
18 planning and implementation;

19 (e) Integrate other administrative functions and internal
20 business processes as appropriate; and

21 (f) Integrate certain customer-focused tools and initiatives.

22 (3) Transit coordination grants must, at a minimum, be proposed
23 jointly by two or more eligible transit agencies and must include a
24 description of the:

25 (a) Issue or problem to be addressed;

26 (b) Specific solution and measurable outcomes;

27 (c) Benefits such as cost savings, travel time improvements,
28 improved coordination, and improved customer experience; and

29 (d) Performance measurements and an evaluation plan that includes
30 the identification of milestones towards successful completion of the
31 project.

32 (4) Transit coordination grant applications must include
33 measurable outcomes for the project including, but not limited to,
34 the following:

35 (a) Impacts on service, such as increased service, improved
36 service delivery, and improved transfers and coordination across
37 transit service;

38 (b) Impacts on customer service, such as: Improved reliability;
39 improved outreach and coordination with customers, employers, and

1 communities; improvements in customer service functions, such as
2 customer response time and web-based and other communications; and

3 (c) Impacts on administration, such as improved marketing and
4 outreach efforts, integrated customer-focused tools, and improved
5 cross-agency communications.

6 (5) Transit coordination grant applications must also include:

7 (a) Project budget and cost details; and

8 (b) A commitment and description of local matching funding of at
9 least ten percent of the project cost.

10 (6) Upon completion of the project, transit coordination grant
11 recipients must provide a report to the department that includes an
12 overview of the project, how the grant funds were spent, and the
13 extent to which the identified project outcomes were met. In
14 addition, such reports must include a description of best practices
15 that could be transferred to other transit agencies faced with
16 similar issues to those addressed by the transit coordination grant
17 recipient. The department must report annually to the transportation
18 committees of the legislature on the transit coordination grants that
19 were awarded, and the report must include data to determine if
20 completed transit coordination grant projects produced the
21 anticipated outcomes included in the grant applications.

22 (7) This section expires (~~(July 1, 2020)~~) June 30, 2021.

23 **Sec. 705.** RCW 46.68.290 and 2019 c 416 s 707 are each amended to
24 read as follows:

25 (1) The transportation partnership account is hereby created in
26 the state treasury. All distributions to the account from RCW
27 46.68.090 must be deposited into the account. Money in the account
28 may be spent only after appropriation. Expenditures from the account
29 must be used only for projects or improvements identified as 2005
30 transportation partnership projects or improvements in the omnibus
31 transportation appropriations act, including any principal and
32 interest on bonds authorized for the projects or improvements.

33 (2) The legislature finds that:

34 (a) Citizens demand and deserve accountability of transportation-
35 related programs and expenditures. Transportation-related programs
36 must continuously improve in quality, efficiency, and effectiveness
37 in order to increase public trust;

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

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

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

9 (a) "Performance audit" means an objective and systematic
10 assessment of a state agency or agencies or any of their programs,
11 functions, or activities by the state auditor or designee in order to
12 help improve agency efficiency, effectiveness, and accountability.
13 Performance audits include economy and efficiency audits and program
14 audits.

15 (b) "Transportation-related agency" means any state agency,
16 board, or commission that receives funding primarily for
17 transportation-related purposes. At a minimum, the department of
18 transportation, the transportation improvement board or its successor
19 entity, the county road administration board or its successor entity,
20 and the traffic safety commission are considered transportation-
21 related agencies. The Washington state patrol and the department of
22 licensing shall not be considered transportation-related agencies
23 under chapter 314, Laws of 2005.

24 (4) Within the authorities and duties under chapter 43.09 RCW,
25 the state auditor shall establish criteria and protocols for
26 performance audits. Transportation-related agencies shall be audited
27 using criteria that include generally accepted government auditing
28 standards as well as legislative mandates and performance objectives
29 established by state agencies. Mandates include, but are not limited
30 to, agency strategies, timelines, program objectives, and mission and
31 goals as required in RCW 43.88.090.

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

36 (6) The audits may include:

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

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

4 (c) Analysis of gaps and overlaps in programs and services and
5 recommendations for improving, dropping, blending, or separating
6 functions to correct gaps or overlaps;

7 (d) Analysis and recommendations for pooling information
8 technology systems used within the transportation-related agency, and
9 evaluation of information processing and telecommunications policy,
10 organization, and management;

11 (e) Analysis of the roles and functions of the transportation-
12 related agency, its programs, and its services and their compliance
13 with statutory authority and recommendations for eliminating or
14 changing those roles and functions and ensuring compliance with
15 statutory authority;

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

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

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

25 (i) Identification and recognition of best practices;

26 (j) Evaluation of planning, budgeting, and program evaluation
27 policies and practices;

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

29 (l) Evaluation of purchasing operations and management policies
30 and practices;

31 (m) Evaluation of organizational structure and staffing levels,
32 particularly in terms of the ratio of managers and supervisors to
33 nonmanagement personnel; and

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

37 (7) Within the authorities and duties under chapter 43.09 RCW,
38 the state auditor must provide the preliminary performance audit
39 reports to the audited state agency for comment. The auditor also may
40 seek input on the preliminary report from other appropriate

1 officials. Comments must be received within thirty days after receipt
2 of the preliminary performance audit report unless a different time
3 period is approved by the state auditor. The final performance audit
4 report shall include the objectives, scope, and methodology; the
5 audit results, including findings and recommendations; the agency's
6 response and conclusions; and identification of best practices.

7 (8) The state auditor shall provide final performance audit
8 reports to the citizens of Washington, the governor, the joint
9 legislative audit and review committee, the appropriate legislative
10 committees, and other appropriate officials. Final performance audit
11 reports shall be posted on the internet.

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

21 The office of financial management shall require periodic
22 progress reports from the audited agency until all resolution has
23 occurred. The office of financial management is responsible for
24 achieving audit resolution. The office of financial management shall
25 annually report by December 31st the status of performance audit
26 resolution to the appropriate legislative committees and the state
27 auditor. The legislature shall consider the performance audit results
28 in connection with the state budget process.

29 The auditor may request status reports on specific audits or
30 findings.

31 (10) For the period from July 1, 2005, until June 30, 2007, the
32 amount of \$4,000,000 is appropriated from the transportation
33 partnership account to the state auditors office for the purposes of
34 subsections (2) through (9) of this section.

35 (11) During the 2015-2017 fiscal biennium, the legislature may
36 transfer from the transportation partnership account to the
37 connecting Washington account such amounts as reflect the excess fund
38 balance of the transportation partnership account.

39 (12) During the 2017-2019 and the 2019-2021 fiscal biennia, the
40 legislature may direct the state treasurer to make transfers of

1 moneys in the transportation partnership account to the connecting
2 Washington account (~~and~~), the motor vehicle fund, and the capital
3 vessel replacement account.

4 **Sec. 706.** RCW 82.44.135 and 2006 c 318 s 9 are each amended to
5 read as follows:

6 (1) Before a local government subject to this chapter may impose
7 a motor vehicle excise tax, the local government must contract with
8 the department for the collection of the tax. The department may
9 charge a reasonable amount, not to exceed one percent of tax
10 collections, or two and one-half percent during the 2019-2021
11 biennium, for the administration and collection of the tax.

12 (2) For fiscal year 2021, the department shall charge a minimum
13 of seven million eight hundred two thousand dollars, which is the
14 reasonable amount aimed at achieving full cost recovery for the
15 administration and collection of a motor vehicle excise tax. The
16 amount of the full reimbursement for the administration and
17 collection of the motor vehicle excise tax must be deducted before
18 distributing any revenues to a regional transit authority. Any
19 reimbursement to ensure full cost recovery beyond the amount
20 specified in this subsection may be negotiated between the department
21 and the regional transit authority if full cost recovery has not been
22 achieved, or if based on emergent issues.

23 **Sec. 707.** RCW 46.68.395 and 2015 3rd sp.s. c 44 s 106 are each
24 amended to read as follows:

25 (1) The connecting Washington account is created in the motor
26 vehicle fund. Moneys in the account may be spent only after
27 appropriation. Expenditures from the account must be used only for
28 projects or improvements identified as connecting Washington projects
29 or improvements in a transportation appropriations act, including any
30 principal and interest on bonds authorized for the projects or
31 improvements.

32 (2) Moneys in the connecting Washington account may not be
33 expended on the state route number 99 Alaskan Way viaduct replacement
34 project.

35 (3) During the 2019-2021 fiscal biennium, the legislature may
36 direct the state treasurer to make transfers of moneys in the
37 connecting Washington account to the motor vehicle fund.

1 MISCELLANEOUS

2 NEW SECTION. **Sec. 801.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

Passed by the House March 11, 2020.

Passed by the Senate March 11, 2020.

Approved by the Governor March 31, 2020, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 31, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 220(16);
301(3); 302, page 70, lines 33-37 and page 71, lines 1-2; 303(2);
305(35); 307(2); 308(11); 309(17); 310(26); 207(15); 208(35);
208(22); 208(23); 208(24); 208(25); and 208(27), Engrossed Substitute
House Bill No. 2322 entitled:

"AN ACT Relating to transportation funding and appropriations."

**Section 220(16), page 60, Department of Transportation, Public
Transportation, Program V;**

Section 301(3), page 70, Freight Mobility Strategic Investment Board;

**Section 302, page 70, lines 33-37, and page 71, lines 1-2, County
Road Administration Board;**

Section 303(2), page 71, Transportation Improvement Board;

**Section 305(35), page 86, Department of Transportation, Improvements,
Program I;**

**Section 307(2), page 91, Department of Transportation, Traffic
Operations, Program Q;**

**Section 308(11), page 94, Department of Transportation, Washington
State Ferries, Program W;**

**Section 309(17), page 99, Department of Transportation, Rail, Program
Y; and**

**Section 310(26), page 107, Department of Transportation, Local
Programs, Program Z**

These sections include language declaring the Legislature's intent
that the projects in these sections should not be eliminated or
substantially delayed due to revenue reductions taken in the budget
as a short-term solution to balance the budget. In light of the
economic downturn due to the COVID-19 pandemic, it may be necessary
to delay or eliminate projects. For this reason, I have vetoed

Sections 220(16); 301(3); 302, page 70, lines 33-37, and page 71, lines 1-2; 303(2); 305(35); 307(2); 308(11); 309(17); and 310(26).

Section 207(15), pages 21-22, Washington State Patrol, Agreement for Utility Connection and Reimbursement of Water Extension Expenses

This section requires the Washington State Patrol to terminate an agreement with the city of Shelton that requires latecomers to reimburse the Washington State Patrol if they connect to water and sewer infrastructure paid for with gas tax funds. Under the 18th Amendment to the state Constitution, infrastructure funded with gas taxes cannot be used by any entity for non-highway purposes unless the gas tax fund is reimbursed. Canceling the agreement would create a risk of unconstitutional use of the infrastructure without reimbursement. For this reason, I have vetoed Section 207(15).

Section 208(35), page 30, Department of Licensing, Office Relocations

This section directs the Department of Licensing to relocate or finish relocating the Lacey, Tacoma and Bellevue-Redmond licensing services offices, and to finish emergency repairs at the Vancouver office. Not enough funding was provided in the budget to complete all of these office moves and repairs to the Vancouver office. I am directing the department to initiate the office moves with the funding provided and seek emergency capital funds for the Vancouver office repairs. For this reason, I have vetoed Section 208(35).

I have vetoed the following sections related to bills that did not pass the Legislature, resulting in the lapse of funding. My veto of these sections will serve to clean up these unnecessary sections of the bill.

Section 208(22), page 28, Department of Licensing, SHB 1255, Patches Pal Special License Plate

Section 208(23), page 28, Department of Licensing, E2SHB 2050, Washington Wine Special License Plate

Section 208(24), page 28, Department of Licensing, ESHB 2085, Mt. St. Helens Special License Plate

Section 208(25), page 28, Department of Licensing, SHB 2187, Women Veterans Special License Plate

Section 208(27), page 29, Department of Licensing, SHB 2353, Fire Trailer Vehicle Registration License Plate Registration License Plate

For these reasons I have vetoed Sections 220(16); 301(3); 302, page 70, lines 33-37 and page 71, lines 1-2; 303(2); 305(35); 307(2); 308(11); 309(17); 310(26); 207(15); 208(35); 208(22); 208(23); 208(24); 208(25); and 208(27) of Engrossed Substitute House Bill No. 2322.

With the exception of Sections 220(16); 301(3); 302, page 70, lines 33-37 and page 71, lines 1-2; 303(2); 305(35); 307(2); 308(11); 309(17); 310(26); 207(15); 208(35); 208(22); 208(23); 208(24); 208(25); and 208(27), Engrossed Substitute House Bill No. 2322 is approved."

(End of Bill)

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