
SUBSTITUTE SENATE BILL 5975

State of Washington

67th Legislature

2022 Regular Session

By Senate Transportation (originally sponsored by Senators Lias, Randall, Carlyle, Cleveland, Das, Dhingra, Hunt, Kuderer, Lovelett, Lovick, Mullet, Nguyen, Nobles, Rolfes, Salomon, Trudeau, Wellman, and C. Wilson)

READ FIRST TIME 02/24/22.

1 AN ACT Relating to additive transportation funding and
2 appropriations; creating new sections; making appropriations; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) An additive omnibus transportation
6 budget of the state is hereby adopted and, subject to the provisions
7 set forth, the several amounts specified, or as much thereof as may
8 be necessary to accomplish the purposes designated, are hereby
9 appropriated from the several accounts and funds named to the
10 designated state agencies and offices for employee compensation and
11 other expenses, for capital projects, and for other specified
12 purposes, including the payment of any final judgments arising out of
13 such activities, for the period ending June 30, 2023.

14 (2) Except as provided otherwise in this act, it is the intent of
15 the legislature that the funding levels specified in LEAP
16 Transportation Document 2022-A as developed February 20, 2022,
17 represents a commitment to provide climate commitment act-related
18 appropriations to the agencies, programs, and activities at the
19 amounts identified therein through fiscal year 2038.

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

1 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending
2 June 30, 2022.

3 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending
4 June 30, 2023.

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

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

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

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

17 (g) "LEAP" means the legislative evaluation and accountability
18 program committee.

19 **2021-2023 FISCAL BIENNIUM**
20 **TRANSPORTATION AGENCIES—OPERATING**

21 NEW SECTION. **Sec. 201. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **PUBLIC TRANSPORTATION—PROGRAM V**

23 Climate Transit Programs Account—State Appropriation . . \$54,260,000

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

26 (1) Except as otherwise provided in this section, \$4,680,000 of
27 the climate transit programs account—state appropriation is provided
28 solely for the projects and activities as listed in LEAP
29 Transportation Document 2022 NL-3 as developed February 20, 2022.
30 From the LEAP Transportation Document 2022 NL-3 as developed February
31 20, 2022, the department shall submit a ranked project list in three
32 tiers to the transportation committees of the legislature and the
33 office of financial management by December 1, 2022, based on
34 community impacts of projects relating to the following minimum
35 criteria:

36 (a) Direct benefit to overburdened communities as defined in RCW
37 70A.02.010 to mean a geographic area where vulnerable populations

1 face combined, multiple environmental harms and health impacts, and
2 includes, but is not limited to, highly impacted communities as
3 defined in RCW 19.405.020;

4 (b) Direct benefit to vulnerable populations as defined in RCW
5 70A.02.010 to mean population groups that are more likely to be at
6 higher risk for poor health outcomes in response to environmental
7 harms, due to adverse socioeconomic factors, such as unemployment,
8 high housing and transportation costs relative to income, limited
9 access to nutritious food and adequate health care, linguistic
10 isolation, and other factors that negatively affect health outcomes
11 and increase vulnerability to the effects of environmental harms; and
12 sensitivity factors, such as low birth weight and higher rates of
13 hospitalization. Vulnerable populations include, but are not limited
14 to: Racial or ethnic minorities; low-income populations; populations
15 disproportionately impacted by environmental harms; and populations
16 of workers experiencing environmental harms;

17 (c) Proportion of local household incomes at or below 200 percent
18 of the federal poverty level;

19 (d) Proportion of population with disabilities;

20 (e) Burden of environmental health disparities, such as those
21 indicated by the diesel pollution burden portion of the Washington
22 environmental health disparities map developed by the department of
23 health, or other similar indicators;

24 (f) Location on or adjacent to tribal lands or locations
25 providing essential services to tribal members.

26 (2) \$14,120,000 of the climate transit programs account—state
27 appropriation is provided solely for newly selected special needs
28 grants.

29 (3) \$29,750,000 of the climate transit programs account—state
30 appropriation is provided solely for transit support grants.

31 (4) \$4,710,000 of the climate transit programs account—state
32 appropriation is provided solely for newly selected green
33 transportation grants.

34 (5) \$1,000,000 of the climate transit programs account—state
35 appropriation is provided solely for newly selected transit
36 coordination grants. The department shall give priority to grant
37 proposals that promote the formation of joint partnerships between
38 transit agencies or merge service delivery across entities.

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 NEW SECTION. **Sec. 301. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

3 Climate Active Transportation Account—State

4 Appropriation \$3,000,000

5 The appropriations in this section are subject to the following
6 conditions and limitations: The entire climate active transportation
7 account—state appropriation is provided solely for newly selected
8 complete streets grants.

9 NEW SECTION. **Sec. 302. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **RAIL—PROGRAM Y—CAPITAL**

11 Carbon Emissions Reduction Account—State

12 Appropriation \$50,000,000

13 The appropriation in this section is subject to the following
14 conditions and limitations: \$50,000,000 of the carbon emissions
15 reduction account—state appropriation is provided solely for state
16 match contributions to support the department's application for
17 pending federal grant opportunities. These funds are to remain in
18 unallotted status and are available only upon receipt of federal
19 funds.

20 NEW SECTION. **Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION—**
21 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

22 Climate Active Transportation Account—State

23 Appropriation \$19,360,000

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

26 (1) Except as otherwise provided in this section, \$6,890,000 of
27 the climate active transportation account—state appropriation is
28 provided solely for newly selected pedestrian and bicycle safety
29 program projects as listed in LEAP Transportation Document 2022 NL-2
30 as developed February 20, 2022. From the LEAP Transportation Document
31 2022 NL-2 as developed February 20, 2022, the department shall submit
32 a ranked project list in three tiers to the transportation committees
33 of the legislature and the office of financial management by December
34 1, 2022, based on community impacts of projects relating to the
35 following minimum criteria:

1 (a) Direct benefit to overburdened communities as defined in RCW
2 70A.02.010 to mean a geographic area where vulnerable populations
3 face combined, multiple environmental harms and health impacts, and
4 includes, but is not limited to, highly impacted communities as
5 defined in RCW 19.405.020;

6 (b) Direct benefit to vulnerable populations as defined in RCW
7 70A.02.010 to mean population groups that are more likely to be at
8 higher risk for poor health outcomes in response to environmental
9 harms, due to adverse socioeconomic factors, such as unemployment,
10 high housing and transportation costs relative to income, limited
11 access to nutritious food and adequate health care, linguistic
12 isolation, and other factors that negatively affect health outcomes
13 and increase vulnerability to the effects of environmental harms; and
14 sensitivity factors, such as low birth weight and higher rates of
15 hospitalization. Vulnerable populations include, but are not limited
16 to: Racial or ethnic minorities; low-income populations; populations
17 disproportionately impacted by environmental harms; and populations
18 of workers experiencing environmental harms;

19 (c) Proportion of local household incomes at or below 200 percent
20 of the federal poverty level;

21 (d) Proportion of population with disabilities;

22 (e) Burden of environmental health disparities, such as those
23 indicated by the diesel pollution burden portion of the Washington
24 environmental health disparities map developed by the department of
25 health, or other similar indicators;

26 (f) Location on or adjacent to tribal lands or locations
27 providing essential services to tribal members.

28 (2) \$6,830,000 of the climate active transportation account—state
29 appropriation is provided solely for newly selected safe routes to
30 school grants.

31 (3) \$5,640,000 of the climate active transportation account—state
32 appropriation is provided solely for newly selected pedestrian and
33 bicycle grants.

34 (4) (a) It is the intent of the legislature, over the first 5
35 years of the move ahead WA program, that \$50,000,000 will be provided
36 to the Seattle department of transportation (SDOT) to implement
37 Aurora Avenue North Safety Improvements (L4000154). Under this
38 program, SDOT will be required to implement strategic transportation
39 investments for the Aurora Ave N Corridor from N 90th St to N 105th
40 St that ensure slow vehicle speeds, walkability, multimodal mobility,

1 safe routes to local schools, and safety for residents, which will
2 demonstrate the benefits of similar transportation investments for
3 other locations along Aurora Avenue and elsewhere. SDOT must convene
4 a neighborhood oversight board consisting of residents of communities
5 of the Aurora Ave N Corridor to prioritize investments and monitor
6 project implementation. The oversight board should be composed of an
7 equitable representation of local communities along the Aurora Ave N
8 Corridor, including residents with disabilities. SDOT will ensure
9 that the oversight board is consulted on a bimonthly basis during the
10 prioritization process.

11 (b) The legislature intends, upon completion of the State Route
12 99/Aurora Avenue North Planning Study, that projects recommended in
13 the study will be funded by this program. A specific focus must be on
14 access management to consolidate driveways and improve safety for
15 vulnerable users. This work must also include installation of full
16 curb and sidewalks to improve safety, mobility, transit ridership,
17 equity, and work towards the goals set forth in vision zero, target
18 zero, and the Washington state active transportation plan. SDOT must
19 ensure the design and implementation of an accessible sidewalk
20 network to support users with mobility limitations, convenient and
21 accessible transit stops, all-ages-and-abilities bicycle facilities,
22 and safe pedestrian-activated crosswalks that put safety over speed,
23 balances the needs of different modes, reduces the level of traffic
24 stress experienced by pedestrians and cyclists, connects to existing
25 bicycle and transit networks, creates safe walking and bicycling
26 routes to local schools including crosswalks, improves human and
27 environmental health, and supports the surrounding neighborhoods.
28 SDOT must coordinate with the Washington state department of
29 transportation and King county metro in implementing the investments.
30 SDOT must ensure that funds are maximized by limiting the percentage
31 for planning, predesign, design, permitting, and environmental review
32 to ten percent of the total cost of each project.

33 (c) The legislature intends that all Aurora Avenue North Safety
34 Improvement projects funded in this program be completed by December
35 31, 2029, and that no funds may be expended for this purpose after
36 this date.

37 (5) It is the intent of the legislature that \$14,000,000 will be
38 provided for the Guemes Ferry Boat Replacement Project (L4000124).

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