

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5975

Chapter 187, Laws of 2022

67th Legislature
2022 Regular Session

ADDITIVE TRANSPORTATION BUDGET

EFFECTIVE DATE: March 25, 2022

Passed by the Senate March 10, 2022
Yeas 30 Nays 19

DENNY HECK

President of the Senate

Passed by the House March 10, 2022
Yeas 57 Nays 41

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 25, 2022 4:39 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5975** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 28, 2022

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5975

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2022 Regular Session

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; amending RCW 82.44.200; amending 2021 c 333 ss 110,
3 111, and 103 (uncodified); creating new sections; making
4 appropriations; and declaring an emergency.

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

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

15 (2) Except as otherwise provided in this act, it is the intent of
16 the legislature that the funding levels specified in LEAP
17 Transportation Document 2022-A as developed March 9, 2022, represents
18 a commitment to provide climate commitment act-related appropriations
19 to the agencies, programs, and activities at the amounts identified
20 therein through fiscal year 2038.

1 (3) Except as otherwise provided in this act, it is the intent of
2 the legislature that the funding levels specified in LEAP
3 Transportation Document 2022-B as developed March 9, 2022, represents
4 a commitment to provide move ahead WA-related appropriations to the
5 agencies, programs, and activities, at the amounts identified
6 therein, through fiscal year 2038.

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

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

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

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

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

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

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

25 (g) "LEAP" means the legislative evaluation and accountability
26 program committee.

27 **2021-2023 FISCAL BIENNIUM**

28 **GENERAL GOVERNMENT AGENCIES—OPERATING**

29 **Sec. 101.** 2021 c 333 s 110 (uncodified) is amended to read as
30 follows:

31 **FOR THE HOUSE OF REPRESENTATIVES**

32 Motor Vehicle Account—State Appropriation. (~~(\$3,210,000)~~)
33 \$1,577,000

34 **Sec. 102.** 2021 c 333 s 111 (uncodified) is amended to read as
35 follows:

36 **FOR THE SENATE**

1 Motor Vehicle Account—State Appropriation. (~~(\$3,085,000)~~)
2 \$1,518,000

3 **Sec. 103.** 2021 c 333 s 103 (uncodified) is amended to read as
4 follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

6 Motor Vehicle Account—State Appropriation. (~~(\$1,441,000)~~)
7 \$1,034,000

8 Puget Sound Ferry Operations Account—State
9 Appropriation. \$126,000

10 Multimodal Transportation Account—State
11 Appropriation. \$250,000

12 TOTAL APPROPRIATION. (~~(\$1,817,000)~~)
13 \$1,410,000

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

16 \$250,000 of the multimodal transportation account—state
17 appropriation is provided solely for the office of financial
18 management, in collaboration with the Washington department of
19 transportation and the office of the chief information officer, to
20 conduct an evaluation of short term and long term facility and
21 information technology needs. In conducting the evaluation, the
22 office of financial management may contract with an entity with
23 direct expertise in this area. The office of financial management
24 must submit a final report of their evaluation by October 1, 2022.
25 The evaluation must be coordinated with any legislatively directed
26 study regarding leased space. The evaluation must include, but is not
27 limited to:

28 (1) Development of a status quo scenario based on current policy
29 and projections and two alternative scenarios of the number of people
30 and percentage of staff in telework status on a permanent basis with
31 one alternative being the minimum feasible level of teleworking and
32 one alternative being the maximum feasible level of teleworking;

33 (2) Current and projected facility needs by location and function
34 for the scenarios in subsection (1) of this section;

35 (3) The specific number of employees and percentage of the
36 workforce expected to be teleworking by location and function and the
37 anticipated impact on facility space needs for the scenarios in
38 subsection (1) of this section;

1 (4) Analysis of opportunities to colocate with other state,
2 local, and other public agencies to reduce costs and improve cost-
3 efficiency;

4 (5) Detailed information on any increased costs, such as end-user
5 devices, software, technology infrastructure, and other types of
6 assistance needed to meet the teleworking levels in each of the
7 scenarios in subsection (1) of this section;

8 (6) Detailed information on any reduced costs, such as leases,
9 facility maintenance, and utilities, resulting from the projected
10 teleworking levels for the scenarios in subsection (1) of this
11 section; and

12 (7) Cost-benefit analysis detailing the net impact of teleworking
13 on facility and total costs for the scenarios in subsection (1) of
14 this section.

15 NEW SECTION. **Sec. 104.** (1) During the 2021-2023 fiscal
16 biennium, the department of agriculture shall produce a fuel tax
17 sticker for display on each motor fuel pump from which fuel is sold
18 at retail that displays and provides notice of the federal and state
19 fuel tax rates. The sticker must display the rate of each tax, in
20 cents per gallon, for each type of fuel.

21 (2) The department of agriculture shall provide notice of federal
22 and state fuel tax rates, in the form of a fuel tax sticker, to be
23 displayed on motor fuel pumps.

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

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

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

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

37 (5) The department of agriculture shall produce updated fuel tax
38 stickers on an annual basis when one or more fuel tax rates have
39 changed. Fuel tax stickers must be replaced at the time of motor fuel

1 pump inspection if the sticker has been updated with any new fuel tax
2 rates.

3 **TRANSPORTATION AGENCIES—OPERATING**

4 NEW SECTION. **Sec. 201. FOR THE DEPARTMENT OF LICENSING**

5 Move Ahead WA Flexible Account—State Appropriation \$1,260,000
6 Agency Financial Transaction Account—State
7 Appropriation \$103,000
8 TOTAL APPROPRIATION. \$1,363,000

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

11 (1) \$550,000 of the move ahead WA flexible account—state
12 appropriation is provided solely for an interagency transfer to the
13 department of children, youth, and families to provide driver's
14 license support to a larger population of foster youth than is
15 currently being served. Support services include reimbursement of
16 driver's license issuance costs, fees for driver training education,
17 and motor vehicle liability insurance costs.

18 (2) \$569,000 of the move ahead WA flexible account—state
19 appropriation and \$103,000 of the agency financial transaction
20 account—state are provided for estimated implementation costs
21 associated with new revenues.

22 (3) \$141,000 of the move ahead WA flexible account—state
23 appropriation is provided solely for chapter . . . (Engrossed
24 Substitute Senate Bill No. 5815), Laws of 2022 (homeless identicard).

25 NEW SECTION. **Sec. 202. FOR THE TRANSPORTATION COMMISSION**

26 Within the parameters established by RCW 47.56.880, the
27 commission shall review toll revenue performance on the Interstate
28 405 and state route number 167 corridor and adjust Interstate 405
29 tolls as appropriate to increase toll revenue to provide sufficient
30 funds for payments of future debt pursuant to RCW 47.10.896 and to
31 support improvements to the corridor. The commission may consider
32 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
33 restricting direct access ramps to transit and HOV vehicles only, or
34 any combination thereof, in setting tolls to increase toll revenue.

35 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF COMMERCE**

1	Move Ahead WA Flexible Account—State Appropriation.	\$10,000
2	Multimodal Transportation Account—Federal	
3	Appropriation.	\$350,000
4	TOTAL APPROPRIATION.	\$360,000

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

7 (1) (a) \$10,000 of the move ahead WA flexible account—state
8 appropriation is provided solely for development of a process to
9 select projects to advance the research, development, or
10 manufacturing of sustainable aviation technologies. The purpose is to
11 support adoption of zero emissions aircraft and sustainable aviation
12 fuels, reduce harmful aviation-related emissions, and reduce the
13 aviation industry's reliance on fossil fuels. Sustainable aviation
14 projects may include, but are not limited to, the development of:

- 15 (i) Batteries;
- 16 (ii) Electric motors;
- 17 (iii) Sustainable fuels;
- 18 (iv) Hydrogen electrolyzers and storage; and
- 19 (v) Activities that support the supply chain of (a)(i) through
20 (iv) of this subsection.

21 (b) In developing the project selection process, the department
22 may consult industry representatives, members of historically
23 underrepresented and unserved communities, and federally recognized
24 tribes, and may seek additional funds for this purpose. The
25 department shall submit a report to the transportation committees of
26 the legislature by December 1, 2022, identifying the selected
27 sustainable aviation projects for funding by the legislature.

28 (2) \$350,000 of the multimodal transportation account—federal
29 appropriation is provided solely for staff support for the
30 interagency electric vehicle coordinating council created in
31 chapter . . . (Engrossed Substitute Senate Bill No. 5974), Laws of
32 2022, in order to help implement the national electric vehicle
33 program funded in the federal infrastructure investment and jobs act
34 (P.L. 117-58).

35 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—**
36 **AVIATION—PROGRAM F**

37	Aeronautics Account—State Appropriation.	\$1,000,000
38	Move Ahead WA Flexible Account—State Appropriation	\$10,000

1 TOTAL APPROPRIATION. \$1,010,000

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

4 (1) \$10,000 of the move ahead WA flexible account—state
5 appropriation is provided solely for the creation of a sustainable
6 aviation grant program for airports. The purpose of the grant program
7 is to support adoption of zero emissions aircraft and sustainable
8 aviation fuels, reduce harmful aviation-related emissions, and reduce
9 the aviation industry's reliance on fossil fuels. Sustainable
10 aviation projects may include, but are not limited to: (a)
11 Sustainable aviation fuel storage; (b) electrification of ground
12 support equipment; (c) electric aircraft charging infrastructure; (d)
13 airport clean power production; or (e) electric vehicle charging
14 stations whose infrastructure also supports ground support equipment
15 and electric aircraft charging. The department must select projects,
16 which may include planning, to propose to the legislature for
17 funding. The department shall submit a report to the transportation
18 committees of the legislature by December 1, 2022, identifying the
19 initial selection of sustainable aviation projects for funding by the
20 legislature and recommended changes to modify and sustain the
21 program.

22 (2) \$1,000,000 of the aeronautics account—state appropriation is
23 provided solely for move ahead WA aviation grants.

24 NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

26 Multimodal Transportation Account—Federal
27 Appropriation \$9,822,000

28 The appropriation in this section is subject to the following
29 conditions and limitations: \$9,822,000 of the multimodal
30 transportation account—federal appropriation is provided solely to
31 implement the national electric vehicle program, established in the
32 federal infrastructure investment and jobs act (P.L. 117-58), as
33 directed by the interagency electric vehicle coordinating council
34 created in chapter . . . (Engrossed Substitute Senate Bill No. 5974),
35 Laws of 2022. The amounts provided in this subsection include staff
36 support for the council. The funding provided in this subsection may
37 be used to support the publicly available mapping and forecasting

1 tool under RCW 47.01.520, but only to the extent not funded in the
2 omnibus appropriations act.

3 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **HIGHWAY MAINTENANCE—PROGRAM M**

5 Move Ahead WA Account—State Appropriation \$47,000,000

6 NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **TRAFFIC OPERATIONS—PROGRAM Q**

8 Move Ahead WA Account—State Appropriation \$1,850,000

9 The appropriation in this section is subject to the following
10 conditions and limitations: \$1,850,000 of the move ahead WA—state
11 appropriation is provided solely for traffic operations enhancements.
12 It is the intent of the legislature, over the 16-year move ahead WA
13 investment program, to provide \$30,000,000 for this purpose.

14 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF TRANSPORTATION—**
15 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

16 Move Ahead WA Flexible Account—State Appropriation \$2,000,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: \$2,000,000 of the move ahead WA flexible
19 account—state appropriation is provided solely for efforts to
20 increase diversity in the transportation construction and maritime
21 workforce. Of this amount:

22 (1) \$500,000 of the move ahead WA flexible account—state
23 appropriation is provided solely for: (a) The preapprenticeship
24 support services (PASS) program, which aims to increase diversity in
25 the highway construction workforce and prepare individuals interested
26 in entering the highway construction workforce. In addition to the
27 services allowed by RCW 47.01.435, the PASS program may provide
28 housing assistance for youth aging out of the foster care and
29 juvenile rehabilitation systems in order to support the participation
30 of these youth in a transportation-related preapprenticeship program;
31 and (b) assisting minority and women-owned businesses to perform work
32 in the highway construction industry. This assistance shall include
33 technical assistance, business training, counseling, guidance, prime
34 to subcontractor relationship building, and a capacity building
35 mentorship program.

1 (2) \$1,500,000 of the move ahead WA flexible account—state
2 appropriation is provided solely for expansion of the PASS program to
3 support apprenticeships and workforce development in the maritime
4 industry through preapprenticeship training for inland waterways
5 trades and support services to obtain necessary documents and coast
6 guard certification.

7 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

9	Move Ahead WA Flexible Account—State Appropriation. . . .	\$1,500,000
10	Move Ahead WA Flexible Account—Federal Appropriation. . .	\$1,000,000
11	TOTAL APPROPRIATION.	\$2,500,000

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

14 (1) \$1,500,000 of the move ahead WA flexible account—state
15 appropriation and \$1,000,000 of the move ahead WA flexible account—
16 federal appropriation are provided solely for an Interstate 5
17 planning and environmental linkage study. This study will serve as a
18 next step toward a statewide Interstate 5 master plan, building upon
19 existing work underway in the corridor. It is the intent of the
20 legislature to direct \$40,000,000 to complete the planning and
21 environmental linkage study over the course of the 16-year move ahead
22 WA investment program.

23 (2) The study must meet planning and environmental linkages
24 requirements to assess strategies and actions to address preservation
25 and safety needs; climate change; improve corridor efficiency and
26 person-throughput; and operate managed lanes effectively in the long-
27 term. The study must include a robust public engagement program; and
28 must assess multimodal transportation system impacts as well as
29 economic, revenue and equity considerations. The outcome of this work
30 will provide a basis for preliminary project planning, design, and
31 environmental work.

32 (3) The department shall conduct initial stakeholder listening
33 sessions and submit an interim report on the Interstate 5 planning
34 and environmental linkage study to the joint transportation committee
35 by June 30, 2023. The interim report will set study limits; outline
36 milestones and deliverables for environmental analysis; define
37 committee structure and equitable engagement approaches; define

1 subsequent phases of the study; and determine final scope, budget,
2 and workforce needs.

3 (4) As an initial element of the study, the department must
4 identify and prepare recommendations for near-term actions to improve
5 HOV lane system-wide performance. The study should identify steps
6 required to convert HOV lanes to a different managed lane operating
7 concept such as express toll lanes, including detailed analysis and
8 environmental process. The recommendations must include the planning,
9 design, environmental review, equity considerations, community
10 engagement, traffic and revenue analysis, rate setting, and related
11 engineering considerations necessary for a full I-5 HOV system
12 conversion. The department shall submit an interim report on near-
13 term recommendations to the legislative transportation committees by
14 June 30, 2023.

15 (5) By December 1, 2022, the department must also submit a
16 recommended approach and funding request to:

17 (a) Assess the seismic risk of the I-5 causeway from Boeing field
18 to Lake City Way; and

19 (b) Recommendations for future work to mitigate seismic risk on
20 the causeway, including estimated costs.

21 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

23 Move Ahead WA Flexible Account—State Appropriation \$2,000,000

24 The appropriation in this section is subject to the following
25 conditions and limitations: \$2,000,000 of the move ahead WA flexible
26 account—state appropriation is provided solely for enhanced funding
27 to the office of minority and women's business enterprises to
28 increase the number of certified women and minority-owned contractors
29 in the transportation sector.

30 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**
31 **PUBLIC TRANSPORTATION—PROGRAM V**

32 Climate Transit Programs Account—State Appropriation . . . \$53,436,000

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

35 (1) \$14,120,000 of the climate transit programs account—state
36 appropriation is provided solely for newly selected special needs
37 grants. Of this amount:

1 (a) \$3,248,000 of the climate transit programs account—state
2 appropriation is provided solely for grants to nonprofit providers of
3 special needs transportation. Grants for nonprofit providers must be
4 based on need, including the availability of other providers of
5 service in the area, efforts to coordinate trips among providers and
6 riders, and the cost-effectiveness of trips provided.

7 (b) \$10,872,000 of the climate transit programs account—state
8 appropriation is provided solely for grants to transit agencies to
9 transport persons with special transportation needs. To receive a
10 grant, the transit agency must, to the greatest extent practicable,
11 have a maintenance of effort for special needs transportation that is
12 no less than the previous year's maintenance of effort for special
13 needs transportation. Grants for transit agencies must be prorated
14 based on the amount expended for demand response service and route
15 deviated service in calendar year 2019 as reported in the "Summary of
16 Public Transportation - 2019" published by the department of
17 transportation. No transit agency may receive more than 30 percent of
18 these distributions.

19 (2) \$33,606,000 of the climate transit programs account—state
20 appropriation is provided solely for transit support grants. To be
21 eligible for transit support grant distribution, transit agencies
22 must submit documentation of fare-free policy for 18 years and under
23 by October 1, 2022, to be eligible for the 2023-2025 biennium.
24 Transit agencies that submit fare policy documentation following the
25 October 1, 2022, deadline shall become eligible for the next biennial
26 distribution.

27 (3) \$4,710,000 of the climate transit programs account—state
28 appropriation is provided solely for newly selected green
29 transportation grants.

30 (4) \$1,000,000 of the climate transit programs account—state
31 appropriation is provided solely for newly selected transit
32 coordination grants. The department shall give priority to grant
33 proposals that promote the formation of joint partnerships between
34 transit agencies or merge service delivery across entities.

35 (5) It is the intent of the legislature that \$520,000 will be
36 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the
37 2023-2025 fiscal biennium.

38 (6) The department shall submit the projects on LEAP
39 Transportation Document 2022 NL-3 as developed March 9, 2022, in

1 three tiers to the transportation committees of the legislature and
2 the office of financial management by December 1, 2022, prioritizing
3 projects based on community impacts to overburdened communities as
4 defined in RCW 70A.02.010.

5 **TRANSPORTATION AGENCIES—CAPITAL**

6 **NEW SECTION. Sec. 301. FOR THE TRANSPORTATION IMPROVEMENT BOARD**
7 Move Ahead WA Account—State Appropriation \$10,000,000
8 Climate Active Transportation Account—State
9 Appropriation \$3,000,000
10 TOTAL APPROPRIATION \$13,000,000

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

- 13 (1) The entire climate active transportation account—state
14 appropriation is provided solely for newly selected complete streets
15 grants.
16 (2) The entire move ahead WA account—state appropriation is
17 provided solely for additional preservation funding to cities.

18 **NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**
19 Move Ahead WA Account—State Appropriation \$10,000,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: The entire move ahead WA account—state
22 appropriation is provided solely for additional preservation funding
23 allocations to counties through the county arterial preservation
24 program.

25 **NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION—**
26 **IMPROVEMENTS—PROGRAM I**

27 Move Ahead WA Account—State Appropriation \$32,000,000

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

- 30 (1) Except as otherwise provided in this section, the entire move
31 ahead WA account—state appropriation is provided solely for the state
32 highway projects and activities as listed in LEAP Transportation
33 Document 2022 NL-1 as developed March 9, 2022.

1 (2) (a) It is the intent of the legislature, over the 16-year move
2 ahead WA investment program, to provide \$2,435,000,000 for fish
3 passage barrier removal with the intent of fully complying with the
4 federal *U.S. v. Washington* court injunction by 2030. Furthermore, it
5 is the intent of the legislature that appropriations for this purpose
6 may be used to jointly leverage state and local funds for match
7 requirements in applying for competitive federal aid grants provided
8 in the infrastructure investment and jobs act for removals of fish
9 passage barriers under the national culvert removal, replacement, and
10 restoration program. State funds used for the purpose described in
11 this subsection must not compromise fully complying with the court
12 injunction by 2030.

13 (b) The department shall coordinate with the Brian Abbott fish
14 passage barrier removal board and local governments to use a
15 watershed approach by replacing both state and local culverts guided
16 by the principle of providing the greatest fish habitat gain at the
17 earliest time. The department shall deliver high habitat value fish
18 passage barrier corrections that it has identified, guided by the
19 following factors: Opportunity to bundle projects, tribal priorities,
20 ability to leverage investments by others, presence of other
21 barriers, project readiness, culvert conditions, other transportation
22 projects in the area, and transportation impacts.

23 (3) (a) \$10,000,000 of the move ahead WA state—appropriation is
24 provided solely for the stormwater retrofits and improvements project
25 (L4000040). It is the intent of the legislature, over the 16-year
26 move ahead WA investment program, to provide \$500,000,000 for this
27 project.

28 (b) The department shall ensure that \$6,000,000 is provided to
29 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot
30 (Seattle) project from the \$500,000,000 provided from stormwater
31 retrofits and improvements over the 16-year move ahead WA investment
32 program.

33 (c) The funding provided for stormwater retrofits and
34 improvements must enhance stormwater runoff treatment from existing
35 roads and infrastructure with an emphasis on green infrastructure
36 retrofits. Projects must be prioritized based on benefits to salmon
37 recovery and ecosystem health, reducing toxic pollution, addressing
38 health disparities, and cost-effectiveness. The department of
39 transportation must submit progress reports on its efforts to reduce
40 the toxicity of stormwater runoff from existing infrastructure,

1 recommendations for addressing barriers to innovative solutions, and
2 anticipated demand for funding each biennium.

3 (4) \$1,000,000 of the move ahead WA account—state appropriation
4 is provided solely for the SR 522 Widening project (L4000031). The
5 department must consider reserving portions of state route 522,
6 including designated lanes or ramps, for the exclusive or
7 preferential use of public transportation vehicles, privately owned
8 buses, motorcycles, private motor vehicles carrying not less than a
9 specified number of passengers, or private transportation provider
10 vehicles pursuant to RCW 47.52.025.

11 (5) \$3,000,000 of the move ahead WA—state appropriation is
12 provided solely for the US 2 Trestle Capacity Improvements &
13 Westbound Trestle Replacement project (L4000056). It is the intent of
14 the legislature, over the 16-year move ahead WA investment program,
15 to provide \$210,541,000 for planning, design, right-of-way
16 acquisition, interim improvements, and initial construction. It is
17 the further intent of the legislature that this project enhance
18 multimodal mobility options on the US 2 Trestle. The planning, design
19 and engineering work must consider options to enhance transit and
20 multimodal mobility, including bus rapid transit. The department must
21 report to the legislature with its preliminary analysis of these
22 options by June 30, 2023.

23 (6) It is the intent of the legislature, over the 16-year move
24 ahead WA investment program, to provide \$74,298,000 for the SR 3/
25 Gorst Area - Widening project (L4000017). Tribal consultation with
26 the Suquamish Tribe must begin at the earliest stage of planning,
27 including without limitation on all funding decisions and funding
28 programs, to provide a government-to-government mechanism for the
29 tribe to evaluate, identify, and expressly notify governmental
30 entities of any potential impacts to tribal cultural resources,
31 archaeological sites, sacred sites, fisheries, or other rights and
32 interests in tribal lands and lands within which the tribe possesses
33 rights reserved or protected by federal treaty, statute, or executive
34 order. The consultation is independent of, and in addition to, any
35 public participation process required by state law, or by a state
36 agency, including the requirements of Executive Order 21-02 related
37 to archaeological and cultural resources, and regardless of whether
38 the agency receives a request for consultation from the Suquamish
39 Tribe. Regularly scheduled tribal consultation meetings with the

1 Suquamish Tribe must continue throughout the duration of any funding
2 program and proposed project approval.

3 (7) \$10,000,000 of the move ahead WA account—state appropriation
4 is provided solely for the I-5 Columbia River Bridge (L4000054). The
5 legislature finds that the replacement of the I-5 Columbia River
6 Bridge is a project of national significance and is critical for the
7 movement of freight. One span is now 104 years old, at risk for
8 collapse in the event of a major earthquake, and no longer satisfies
9 the needs of commerce and travel. Replacing the aging Interstate
10 Bridge with a modern, seismically resilient, multimodal structure
11 that provides improved mobility for people, goods and services is a
12 high priority. Therefore, the legislature intends to support the
13 replacement of the I-5 Columbia River Bridge with an investment of
14 \$1,000,000,000 over the 16-year move ahead WA investment program.

15 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **PRESERVATION—PROGRAM P**

17 Move Ahead WA Account—Federal
18 Appropriation \$140,000,000

19 The appropriation in this section is subject to the following
20 conditions and limitations: \$140,000,000 of the move ahead WA account
21 —federal appropriation is provided solely for highway preservation
22 (L4000057). The department must use funding provided in this
23 subsection, along with other funds at its discretion, for the
24 following preservation projects:

- 25 (1) I-5/SB Denny Way-Lakeview Viaduct;
- 26 (2) I-5/SB&NB Concrete and Joint Replacement;
- 27 (3) SR 529/NB Snohomish River - Bridge Rehabilitation and
28 Painting;
- 29 (4) I-5/SB Snohomish River Bridge Painting.

30 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
31 **TRAFFIC OPERATIONS—PROGRAM Q**

32 Move Ahead WA Account—State Appropriation \$1,250,000

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

- 35 (1) \$1,250,000 of the move ahead WA account—state appropriation
36 is provided solely for the department to establish a reducing rural
37 roadway departures program (L2021122) to provide funding for safety

1 improvements specific to preventing lane departures in areas where
2 the departure is likely to cause serious injuries or death pursuant
3 to section 433 of chapter . . . (Substitute Senate Bill No. 5974),
4 Laws of 2022 (transportation resources).

5 (2) It is the intent of the legislature, over the 16-year move
6 ahead WA investment program, to provide \$20,000,000 for this project.

7 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
8 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

9 Puget Sound Capital Construction Account—State

10 Appropriation \$10,000,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: \$10,000,000 of the Puget Sound capital
13 construction account—state appropriation is provided solely for
14 vessel and terminal preservation projects.

15 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **RAIL—PROGRAM Y**

17 Move Ahead WA Flexible Account—State Appropriation . . . \$10,000,000

18 Carbon Emissions Reduction Account—State

19 Appropriation \$50,000,000

20 TOTAL APPROPRIATION. \$60,000,000

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

23 (1) The entire move ahead WA flexible account—state appropriation
24 in this section is provided solely for the rail projects and
25 activities as listed in LEAP Transportation Document 2022 NL-1 as
26 developed March 9, 2022.

27 (2) \$50,000,000 of the carbon emissions reduction account—state
28 appropriation is provided solely for state match contributions to
29 support the department's application for pending federal grant
30 opportunities for a new ultra high-speed ground transportation
31 corridor. These funds are to remain in unallotted status and are
32 available only upon award of federal funds. The department must
33 provide draft applications for federal grant opportunities to the
34 transportation committees of the legislature for review and comment
35 prior to submission.

1 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **LOCAL PROGRAMS—PROGRAM Z**

3 Move Ahead WA Account—State Appropriation \$131,900,000
4 Move Ahead WA Flexible Account—State Appropriation. \$5,000,000
5 Climate Active Transportation Account—State
6 Appropriation \$20,182,000
7 TOTAL APPROPRIATION. \$157,082,000

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

10 (1) The entire move ahead WA account—state appropriation is
11 provided solely for the local road projects and activities as listed
12 in LEAP Transportation Document 2022 NL-1 as developed March 9, 2022.

13 (2) The department shall submit the projects on LEAP
14 Transportation Document 2022 NL-2 as developed March 9, 2022, in
15 three tiers to the transportation committees of the legislature and
16 the office of financial management by December 1, 2022, prioritizing
17 projects based on community impacts to overburdened communities as
18 defined in RCW 70A.02.010.

19 (3) \$10,686,000 of the climate active transportation account—
20 state appropriation is provided solely for newly selected safe routes
21 to school grants.

22 (4) \$9,496,000 of the climate active transportation account—state
23 appropriation is provided solely for newly selected pedestrian and
24 bicycle grants.

25 (5) It is the intent of the legislature that up to \$14,000,000
26 will be provided for the Guemes Ferry Boat Replacement Project
27 (L4000124).

28 (6) \$5,000,000 of the move ahead WA flexible account—state
29 appropriation is provided solely for railroad crossing grant awards
30 which match federal funds for city and county projects which
31 eliminate at-grade highway-rail crossings.

32 (7) It is the intent of the legislature that \$25,000,000 will be
33 provided as part of the move ahead WA investment package in a future
34 biennium, as indicated on the list identified in subsection (1) of
35 this section, for the Ballard and Magnolia bridge project (L4000123).
36 As part of the project, the Seattle department of transportation
37 (SDOT) must consult with an independent engineering firm to verify
38 that the costs for the type, size, and location preliminary design
39 report (TS&L), environmental impact statement (EIS), and 60 percent

1 design work are within industry cost range standards in advance of
2 moving forward with construction. SDOT must ensure that funds are
3 maximized by limiting the percentage for TS&L, EIS, and 60 percent
4 design work to 10 percent of the total cost of the project. Of the
5 \$25,000,000, \$12,500,000 must remain in unallotted status, and may be
6 distributed to SDOT only upon determination by the office of
7 financial management that SDOT's cost estimates have been verified by
8 an independent engineering firm as within industry cost range
9 standards, and SDOT has secured the additional matching funding
10 needed to complete the TS&L, EIS, and 60 percent design work.

11 (8) (a) It is the intent of the legislature, over the first five
12 years of the move ahead WA program, that \$50,000,000 will be provided
13 to SDOT to implement Aurora Avenue North Safety Improvements
14 (L4000154). Under this program, SDOT will be required to implement
15 strategic transportation investments for the Aurora Ave N Corridor
16 from N 90th St to N 105th St that ensure slow vehicle speeds,
17 walkability, multimodal mobility, safe routes to local schools, and
18 safety for residents, which will demonstrate the benefits of similar
19 transportation investments for other locations along Aurora Avenue
20 and elsewhere. SDOT must convene a neighborhood oversight board
21 consisting of residents of communities of the Aurora Ave N Corridor
22 to prioritize investments and monitor project implementation. The
23 oversight board should be composed of an equitable representation of
24 local communities along the Aurora Ave N Corridor, including
25 residents with disabilities. SDOT will ensure that the oversight
26 board is consulted on a bimonthly basis during the prioritization
27 process.

28 (b) The legislature intends, upon completion of the State Route
29 99/Aurora Avenue North Planning Study, that projects recommended in
30 the study will be funded by this program. A specific focus must be on
31 access management to consolidate driveways and improve safety for
32 vulnerable users. This work must also include installation of full
33 curb and sidewalks to improve safety, mobility, transit ridership,
34 equity, and work towards the goals set forth in vision zero, target
35 zero, and the Washington state active transportation plan. SDOT must
36 ensure the design and implementation of an accessible sidewalk
37 network to support users with mobility limitations, convenient and
38 accessible transit stops, all-ages-and-abilities bicycle facilities,
39 and safe pedestrian-activated crosswalks that puts safety over speed,
40 balances the needs of different modes, reduces the level of traffic

1 stress experienced by pedestrians and cyclists, connects to existing
2 bicycle and transit networks, creates safe walking and bicycling
3 routes to local schools including crosswalks, improves human and
4 environmental health, and supports the surrounding neighborhoods.
5 SDOT must coordinate with the Washington state department of
6 transportation and King county metro in implementing the investments.
7 SDOT must ensure that funds are maximized by limiting the percentage
8 for planning, predesign, design, permitting, and environmental review
9 to 10 percent of the total cost of each project.

10 (c) The legislature intends that all Aurora Avenue North Safety
11 Improvement projects funded in this program be completed by December
12 31, 2029, and that no funds may be expended for this purpose after
13 this date.

14 **TRANSFERS AND DISTRIBUTIONS**

15 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—ADMINISTRATIVE**
16 **TRANSFERS**

17 (1) Carbon Emissions Reduction Account—State Appropriation:
18 For transfer to the Puget Sound Ferry
19 Operations Account—State. \$600,000

20 The amount transferred in this subsection represents an estimate
21 of fare replacement revenue to account for the implementation of 18
22 and under fare-free policies.

23 (2)(a) Multimodal Transportation Account—State Appropriation:
24 For transfer to the Carbon Emissions Reduction
25 Account—State. \$127,000,000

26 (b) It is the intent of the legislature that this transfer is
27 temporary, for the purpose of ensuring a positive account balance for
28 the remainder of the 2021-2023 fiscal biennium. An equivalent
29 reimbursing transfer is to occur in the 2023-2025 fiscal biennium.

30 (3) Motor Vehicle Account—State Appropriation: For
31 transfer to the Move Ahead WA Account—State. \$3,607,000

32 (4) Electric Vehicle Account—State Appropriation:
33 For transfer to the Move Ahead WA Flexible
34 Account—State. \$16,064,000

35 (5) Carbon Emissions Reduction Account—State
36 Appropriation: For transfer to the Climate

1 Active Transportation Account—State. \$23,182,000
2 (6) Carbon Emissions Reduction Account—State
3 Appropriation: For transfer to the Climate
4 Transit Programs Account—State. \$53,436,000

5 **MISCELLANEOUS**

6 **Sec. 501.** RCW 82.44.200 and 2021 c 300 s 5 are each amended to
7 read as follows:

8 The electric vehicle account is created in the transportation
9 infrastructure account. Proceeds from the principal and interest
10 payments made on loans from the account must be deposited into the
11 account. Expenditures from the account may be used only for the
12 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
13 the support of other transportation electrification and alternative
14 fuel related purposes, including RCW 47.01.520. Moneys in the account
15 may be spent only after appropriation. During the 2021-2023 fiscal
16 biennium, the legislature may direct the state treasurer to make
17 transfers of moneys in the electric vehicle account to the move ahead
18 WA flexible account.

19 NEW SECTION. **Sec. 502.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 503.** This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of
25 the state government and its existing public institutions, and takes
26 effect immediately.

Passed by the Senate March 10, 2022.
Passed by the House March 10, 2022.
Approved by the Governor March 25, 2022.
Filed in Office of Secretary of State March 28, 2022.

(End of Bill)

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