

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1125

Chapter 472, Laws of 2023

(partial veto)

68th Legislature
2023 Regular Session

TRANSPORTATION BUDGET

EFFECTIVE DATE: May 16, 2023

Passed by the House April 22, 2023
Yeas 98 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 22, 2023
Yeas 46 Nays 3

DENNY HECK

President of the Senate

Approved May 16, 2023 11:39 AM with
the exception of sections 204(3),
207(5), 20(10), 211(1), 215(3),
217(6), 218(5), 219(2), 221(18),
223(3), 224(4), 208(29), 208(31),
213(5), 214(7), 215(4), 217(10),
219(11), 219(12), 224(3), 701(1),
804, 1102(1), 1102(14), 208(17),
208(18), 208(19), and 208(33), 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
1125** as passed by the House of
Representatives and the Senate on
the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 17, 2023

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1125

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By House Transportation (originally sponsored by Representatives Fey, Lekanoff, Timmons, Paul, Wylie, and Donaghy; by request of Office of Financial Management)

READ FIRST TIME 03/31/23.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.642, 46.20.745, 46.68.060, 46.68.063, 46.68.290,
3 46.68.300, 46.68.370, 46.68.395, 46.68.490, 46.68.500, 47.56.876,
4 47.60.315, 47.60.322, 47.60.530, 47.66.120, and 82.44.200; amending
5 2022 c 186 ss 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
6 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 303, 304, 305,
7 306, 307, 308, 309, 310, 401, 402, 403, 404, and 405 (uncodified);
8 amending 2021 c 333 ss 304 and 407 (uncodified); amending 2023 c 2 s
9 2 (uncodified); adding a new section to 2022 c 186 (uncodified);
10 creating new sections; repealing 2022 c 187 ss 201-211, 301-308, and
11 401 (uncodified); making appropriations and authorizing expenditures
12 for capital improvements; providing a contingent effective date; and
13 declaring an emergency.

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

15 **2023-2025 FISCAL BIENNIUM**

16 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
17 is hereby adopted and, subject to the provisions set forth, the
18 several amounts specified, or as much thereof as may be necessary to
19 accomplish the purposes designated, are hereby appropriated from the
20 several accounts and funds named to the designated state agencies and

1 offices for employee compensation and other expenses, for capital
2 projects, and for other specified purposes, including the payment of
3 any final judgments arising out of such activities, for the period
4 ending June 30, 2025.

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

7 (a) "Fiscal year 2024" or "FY 2024" means the fiscal year ending
8 June 30, 2024.

9 (b) "Fiscal year 2025" or "FY 2025" means the fiscal year ending
10 June 30, 2025.

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

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

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

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

23 (g) "LEAP" means the legislative evaluation and accountability
24 program committee.

25 **GENERAL GOVERNMENT AGENCIES—OPERATING**

26 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
27 **HISTORIC PRESERVATION**

28 Motor Vehicle Account—State Appropriation. \$588,000

29 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
30 **COMMISSION**

31 Grade Crossing Protective Account—State
32 Appropriation. \$504,000
33 Pilotage Account—State Appropriation. \$150,000
34 TOTAL APPROPRIATION. \$654,000

35 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

1 NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND**
2 **ACCOUNTABILITY PROGRAM COMMITTEE**

3 Motor Vehicle Account—State Appropriation. \$744,000

4 NEW SECTION. **Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S**
5 **BUSINESS ENTERPRISES**

6 Multimodal Transportation Account—State
7 Appropriation. \$150,000
8 Move Ahead WA Flexible Account—State Appropriation. . . . \$4,550,000
9 TOTAL APPROPRIATION. \$4,700,000

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

12 (1) The entire move ahead WA flexible account—state appropriation
13 in this section is provided solely for increasing the number of
14 certified women and minority-owned contractors in the transportation
15 sector statewide, with priority given to areas outside of the Puget
16 Sound area and supporting these contractors to successfully compete
17 and earn more transportation contracting opportunities. This purpose
18 must be accomplished through various programs including, but not
19 limited to: (a) Outreach to women and minority-owned business
20 communities and individuals; (b) technical assistance, mentorship,
21 and consultation as needed in areas such as financing, accounting,
22 contracting, procurement, and resolution of disputes and grievances;
23 (c) language access programs for those with limited English
24 proficiency; (d) developing a truck rotation program to allow smaller
25 minority and women-owned trucking companies to pool their resources
26 and compete with larger scale trucking operations; and (e) other
27 programs that aim to increase the number of women and minority
28 contractors that are successful in obtaining contracts in the
29 transportation sector directly with state agencies such as the
30 department, with local jurisdictions, or as subcontractors for prime
31 contractors.

32 (2) The entire multimodal transportation account—state
33 appropriation in this section is provided solely for the
34 implementation of chapter . . . (Engrossed Substitute Senate Bill No.
35 5583), Laws of 2023 (improving young driver safety). If chapter . . .
36 (Engrossed Substitute Senate Bill No. 5583), Laws of 2023 is not
37 enacted by June 30, 2023, the amount provided in this section lapses.

1 NEW SECTION. **Sec. 108. FOR THE DEPARTMENT OF COMMERCE**

2 Electric Vehicle Account—State Appropriation. \$220,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: \$220,000 of the electric vehicle account—
5 state appropriation is provided solely to the department to
6 commission an independent study, based on the findings of the
7 transportation electrification strategy authorized
8 under RCW 43.392.040, of costs of installation, maintenance, and
9 operation of electrical distribution infrastructure on the utility's
10 side of the meter to commercial customers installing electric vehicle
11 supply equipment. The department shall gather data from at least five
12 electric utilities serving retail customers in the state for purposes
13 of completing the study. The department shall submit a report of
14 study findings and an explanation of how those findings will support
15 implementation of the transportation electrification strategy
16 authorized under RCW 43.392.040 to the governor and appropriate
17 legislative committees by November 1, 2024.

18 NEW SECTION. **Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

19 Pilotage Account—State Appropriation. \$3,574,000

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

22 (1) The board of pilotage commissioners shall file the annual
23 report to the governor and chairs of the transportation committees
24 required under RCW 88.16.035(1)(f) by September 1, 2023, and annually
25 thereafter. The report must include the continuation of policies and
26 procedures necessary to increase the diversity of pilots, trainees,
27 and applicants, including a diversity action plan. The diversity
28 action plan must articulate a comprehensive vision of the board's
29 diversity goals and the steps it will take to reach those goals.

30 (2) \$232,000 of the pilotage account—state appropriation is for a
31 temporary environmental planner position to support rule making to
32 fulfill the requirements of chapter 289, Laws of 2019.

33 NEW SECTION. **Sec. 110. FOR THE OFFICE OF THE GOVERNOR**

34 State Patrol Highway Account—State Appropriation. \$750,000

35 The appropriation in this section is subject to the following
36 conditions and limitations: \$750,000 of the state patrol highway

1 account—state appropriation is provided solely to the state office of
2 equity to contract with an independent consultant to conduct the
3 studies, evaluations, and reporting functions required in RCW
4 43.06D.060.

5 NEW SECTION. **Sec. 111. FOR THE UNIVERSITY OF WASHINGTON**

6 Multimodal Transportation Account—State Appropriation. . . \$5,000,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: \$5,000,000 of the multimodal
9 transportation account—state appropriation is provided solely for the
10 University of Washington's sidewalk inventory and accessibility
11 mapping project to develop a public dataset under an open license and
12 develop the tools needed to publish that data according to an open
13 data specification. The project must include, but is not limited to,
14 utilization of existing data sources, imagery, detailed surveys, and
15 manually collected, detailed data for city streets, county rural and
16 urban local access roads and collectors/arterials, state roads of all
17 types, and roads owned by other entities. The project may draw on
18 partially developed sidewalk data for all state facilities. To the
19 extent practicable, the final product must be suitable for use by the
20 department of transportation, local and regional agencies, tribal
21 governments, and the general public. For the 2023-2025 fiscal
22 biennium, the project will produce a base active transportation data
23 layer for all counties, with priority given to counties with high
24 proportions of overburdened communities. A project status report is
25 due to the transportation committees of the legislature on December
26 1st of each year until the work is completed. The legislature intends
27 that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal
28 transportation account funds be provided to complete a second phase
29 of work on the active transportation data.

30 NEW SECTION. **Sec. 112. FOR WASHINGTON STATE UNIVERSITY**

31 Multimodal Transportation Account—State

32 Appropriation. \$100,000

33 The appropriation in this section is subject to the following
34 conditions and limitations: \$100,000 of the multimodal transportation
35 account—state appropriation is provided solely for Washington State
36 University to study the potential impacts that current licensing
37 requirements, including training hours, and testing may have on the

1 shortage of commercial drivers, with a focus on public transit
2 operators. The study must provide a comprehensive review and
3 recommendations for improving the state's commercial driver training
4 and certification, including:

5 (1) A review of standards that identify federal mandates for
6 transit operator training;

7 (2) The department of licensing's interpretation of the federal
8 mandates and what constitutes an additive standard not required by
9 federal mandates;

10 (3) Identifying areas for streamlining state training
11 requirements;

12 (4) Reviewing similarities and differences of at least five
13 states on their training and certification of commercial drivers; and

14 (5) Identifying challenges and issues for transit agencies
15 regarding current training, notice, department response,
16 certification, and commercial drivers licensing standards and what
17 adjustments may be warranted to help alleviate the shortage of public
18 transit operators.

19 Findings must be reported to the transportation committees of the
20 legislature upon completion.

21 NEW SECTION. **Sec. 113. FOR THE ECONOMIC AND REVENUE FORECAST**
22 **COUNCIL**

23 Motor Vehicle Account—State Appropriation. \$724,000

24 The appropriation in this section is subject to the following
25 conditions and limitations: The entire motor vehicle account—state
26 appropriation is provided solely for the implementation of
27 chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of
28 2023 (transportation revenue forecast). If chapter . . . (Engrossed
29 Substitute House Bill No. 1838), Laws of 2023 is not enacted by June
30 30, 2023, the amount provided in this section lapses.

31 NEW SECTION. **Sec. 114. FOR THE DEPARTMENT OF ENTERPRISE**
32 **SERVICES**

33 Carbon Emissions Reduction Account—State
34 Appropriation. \$6,000,000

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

1 (1) \$6,000,000 of the carbon emissions reduction account—state
2 appropriation is provided solely for zero emission electric vehicle
3 supply equipment infrastructure at facilities to accommodate charging
4 station installations. The electric vehicle charging equipment must
5 allow for the collection of usage data and must be coordinated with
6 the state efficiency and environmental performance program. The
7 department must prioritize locations based on state efficiency and
8 environmental performance location priorities and where zero emission
9 fleet vehicles are located or are scheduled to be purchased.

10 (2) The department must report when and where the equipment was
11 installed, usage data at each charging station, and the state
12 agencies and facilities that benefit from the installation of the
13 charging station to the fiscal committees of the legislature by June
14 30, 2025, with an interim report due January 2, 2024. The department
15 shall collaborate with the interagency electric vehicle coordinating
16 council to implement this section and must work to meet benchmarks
17 established in chapter 182, Laws of 2022 (transportation resources).

18 (3) In carrying out this section, the department shall cooperate
19 and provide assistance, as requested, in the joint transportation
20 committee's development of program delivery evaluation tools and
21 methodologies provided under section 204 of this act for programs
22 that receive funding from the carbon emissions reduction account.

23 (4) The department, with the assistance of designated staff in
24 the Washington state department of transportation, must register for
25 the clean fuels credit program and start tracking revenue generation
26 pursuant to chapter 70A.535 RCW for investments funded in an omnibus
27 transportation appropriations act.

28 NEW SECTION. **Sec. 115. FOR THE DEPARTMENT OF NATURAL RESOURCES**
29 Carbon Emissions Reduction Account—State
30 Appropriation. \$2,200,000

31 The appropriation in this section is subject to the following
32 conditions and limitations: \$2,200,000 of the carbon emissions
33 reduction account—state appropriation is provided solely for a fleet
34 charging infrastructure expansion assessment, to develop a charger
35 installation plan by location with cost estimates, and to procure and
36 deploy electric pickup trucks to gather practical information to
37 support planning efforts and future large-scale electric vehicle
38 adoption. In carrying out this section, the department shall

1 cooperate and provide assistance, as requested, in the joint
2 transportation committee's development of program delivery evaluation
3 tools and methodologies provided under section 204 of this act for
4 programs that receive funding from the carbon emissions reduction
5 account. The department, with the assistance of designated staff in
6 the Washington state department of transportation, must register for
7 the clean fuels credit program and start tracking revenue generation
8 pursuant to chapter 70A.535 RCW for investments funded in an omnibus
9 transportation appropriations act.

(End of part)

1 **TRANSPORTATION AGENCIES—OPERATING**

2 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
3 **COMMISSION**

4 Highway Safety Account—State Appropriation.	\$5,252,000
5 Highway Safety Account—Federal Appropriation.	\$27,735,000
6 Highway Safety Account—Private/Local Appropriation.	\$60,000
7 Cooper Jones Active Transportation Safety Account—	
8 State Appropriation.	\$636,000
9 School Zone Safety Account—State Appropriation.	\$850,000
10 TOTAL APPROPRIATION.	\$34,533,000

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

13 (1) Within existing resources, the commission must examine
14 national safety reports and recommendations on alcohol and drug
15 impaired driving and report to the transportation committees of the
16 legislature, by December 15, 2023, any recommendations for
17 legislative or policy changes to improve traffic safety in Washington
18 state.

19 (2) (a) \$235,500 of the Cooper Jones active transportation safety
20 account—state appropriation is provided solely for the commission to
21 conduct research pertaining to the issue of street lighting and
22 safety, including a public input component and learning from
23 counties, cities, the state, and other impacted entities. Research
24 may include the following:

25 (i) Interviewing additional local and regional roads departments,
26 water-sewer districts, and other utility services to gather a
27 holistic data set or further input on which authority assumes primary
28 responsibility for street illumination in various underserved areas
29 throughout the state;

30 (ii) Systematically soliciting information from communities with
31 poor street illumination and lighting to gather input as to whether
32 this is an issue the community would like to see improved;

33 (iii) Conferring with regional and state-level police, fire, and
34 emergency medical services to assess and document potential delays in
35 emergency response times due to poor street illumination;

36 (iv) Further assessing the impact of using LED lights in roadway
37 and pedestrian scale lighting in reducing carbon emissions and light
38 pollution throughout the United States; and

1 (v) Subject to more in-depth findings, convening a meeting with
2 appropriate state, regional, and local stakeholders and community
3 partners.

4 (b) The commission must report research results and provide any
5 recommendations for legislative or policy action to the
6 transportation committees of the legislature by January 1, 2025.

7 (3) Within existing resources, the commission, through the Cooper
8 Jones active transportation safety council, must prioritize the
9 review of pedestrian, bicyclist, or nonmotorist fatality and serious
10 injury review when the victim is a member of a federally recognized
11 tribe. Consistent with RCW 43.59.156(5), the commission may recommend
12 any policy or legislative changes to improve traffic safety for
13 tribes through such review.

14 (4) Within existing resources, the commission must review and
15 report to the transportation committees of the legislature, by
16 December 15, 2023, on strategies and technologies used in other
17 states to prevent and respond to wrong-way driving crashes.

18 (5) The Washington traffic safety commission shall coordinate
19 with each city that implements a pilot program as authorized in RCW
20 46.63.170(6) to provide the transportation committees of the
21 legislature with the following information by June 30, 2025:

22 (a) The number of warnings and infractions issued to first-time
23 violators under the pilot program;

24 (b) The number of warnings and infractions issued to the
25 registered owners of vehicles that are not registered with an address
26 located in the city conducting the pilot program; and

27 (c) The frequency with which warnings and infractions are issued
28 on weekdays versus weekend days.

29 (6) \$50,000 of the highway safety account—state appropriation is
30 provided solely for the implementation of chapter . . . (House Bill
31 No. 1112), Laws of 2023 (negligent driving). If chapter . . . (House
32 Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023, the
33 amount provided in this subsection lapses.

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

38 (a) Any programs authorized by the commission must be authorized
39 by December 31, 2024.

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

6 (c) Any city administering a pilot program overseen by the
7 traffic safety commission shall use the following guidelines to
8 administer the program:

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

13 (ii) The law enforcement agency of the city or county government
14 shall install two signs facing opposite directions within 200 feet,
15 or otherwise consistent with the uniform manual on traffic control
16 devices, where the automated vehicle noise enforcement camera is used
17 that state "Street Racing Noise Pilot Program in Progress";

18 (iii) Cities testing the use of automated vehicle noise
19 enforcement cameras must post information on the city website and
20 notify local media outlets indicating the zones in which the
21 automated vehicle noise enforcement cameras will be used;

22 (iv) A city may only issue a warning notice with no penalty for a
23 violation detected by automated vehicle noise enforcement cameras in
24 a Stay Out of Areas of Racing zone. Warning notices must be mailed to
25 the registered owner of a vehicle within 14 days of the detected
26 violation;

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

30 (vi) Notwithstanding any other provision of law, all photographs,
31 videos, microphotographs, audio recordings, or electronic images
32 prepared under this subsection (7) are for the exclusive use of law
33 enforcement in the discharge of duties under this section and are not
34 open to the public and may not be used in a court in a pending action
35 or proceeding. No photograph, microphotograph, audio recording, or
36 electronic image may be used for any purpose other than the issuance
37 of warnings for violations under this section or retained longer than
38 necessary to issue a warning notice as required under this subsection
39 (7); and

1 (vii) By June 30, 2025, the participating cities shall provide a
2 report to the commission and appropriate committees of the
3 legislature regarding the use, public acceptance, outcomes, warnings
4 issued, data retention and use, and other relevant issues regarding
5 automated vehicle noise enforcement cameras demonstrated by the pilot
6 projects.

7 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

8 Rural Arterial Trust Account—State Appropriation.	\$2,405,000
9 Motor Vehicle Account—State Appropriation.	\$3,005,000
10 County Arterial Preservation Account—State	
11 Appropriation.	\$1,808,000
12 TOTAL APPROPRIATION.	\$7,218,000

13 The appropriations in this section are subject to the following
14 conditions and limitations: Within appropriated funds, the county
15 road administration board may opt in as provided under RCW 70A.02.030
16 to assume all of the substantive and procedural requirements of
17 covered agencies under chapter 70A.02 RCW. The board shall include in
18 its 2023 and 2024 annual reports to the legislature a progress report
19 on opting into the healthy environment for all act and a status
20 report on diversity, equity, and inclusion within the board's
21 jurisdiction.
22

23 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

24 Transportation Improvement Account—State	
25 Appropriation.	\$4,798,000

26 The appropriation in this section is subject to the following
27 conditions and limitations: Within appropriated funds, the
28 transportation improvement board may opt in as provided under RCW
29 70A.02.030 to assume all of the substantive and procedural
30 requirements of covered agencies under chapter 70A.02 RCW. The board
31 shall include in its 2023 and 2024 annual reports to the legislature
32 a progress report on opting into the healthy environment for all act
33 and a status report on diversity, equity, and inclusion within the
34 board's jurisdiction.

35 *NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

36 Carbon Emissions Reduction Account—State	
---	--

1	Appropriation.	\$3,000,000
2	Multimodal Transportation Account—State	
3	Appropriation.	\$125,000
4	Motor Vehicle Account—State Appropriation.	\$4,270,000
5	TOTAL APPROPRIATION.	\$7,395,000

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

8 (1) (a) \$300,000 of the motor vehicle account—state appropriation
9 is for the joint transportation committee, from amounts set aside out
10 of statewide fuel taxes distributed to cities according to RCW
11 46.68.110(2), to convene a study of a statewide retail delivery fee
12 on orders of taxable retail items delivered by motor vehicles within
13 the state. The study must:

14 (i) Determine the annual revenue generation potential of a range
15 of fee amounts;

16 (ii) Examine options for revenue distributions to state and local
17 governments based upon total deliveries, lane miles, or other
18 factors;

19 (iii) Estimate total implementation costs, including start-up and
20 ongoing administrative costs; and

21 (iv) Evaluate the potential impacts to consumers, including
22 consideration of low-income households and vulnerable populations and
23 potential impacts to businesses.

24 (b) The study should document and evaluate similar programs
25 adopted in other states. The joint transportation committee must
26 submit a report on the study to the transportation committees of the
27 legislature by June 30, 2024.

28 (2) (a) \$400,000 of the motor vehicle account—state appropriation
29 is for the joint transportation committee, in collaboration with the
30 department of transportation, to convene a work group to study and
31 recommend a new statutory framework for the department's public-
32 private partnership program. The committee may contract with a third-
33 party consultant for work group support and drafting the new
34 statutory framework.

35 (b) (i) The work group must consist of, but is not limited to, the
36 following members:

37 (A) The secretary of transportation or their designee;

38 (B) Joint transportation committee executive committee members or
39 their designees;

- 1 (C) The state treasurer or the state treasurer's designee;
2 (D) A representative of a national nonprofit organization
3 specializing in public-private partnership program development;
4 (E) A representative of the construction trades; and
5 (F) A representative from an organization representing general
6 contractors.

7 (ii) The work group must also consult with the Washington state
8 transportation commission and the department of commerce.

9 (c) (i) The work group must review the 2012 joint transportation
10 committee's "Evaluation of Public-Private Partnerships" study,
11 consisting of an evaluation of the recommendations for replacing
12 chapter 47.29 RCW and development of a process for implementing
13 public-private partnerships that serve the defined public interest,
14 including, but not limited to:

15 (A) Protecting the state's ability to retain public ownership of
16 assets constructed or managed under a public-private partnership
17 contract;

18 (B) Allowing for the most transparency during the negotiation of
19 terms of a public-private partnership agreement; and

20 (C) Addressing the state's ability to oversee the private
21 entity's management of the asset.

22 (ii) (A) The work group must identify any barriers to the
23 implementation of funding models that best protect the public
24 interest, including statutory and constitutional barriers.

25 (B) The work group may also evaluate public-private partnership
26 opportunities for required fish passage and culvert work on state
27 highways, for the construction of, replacement of, or commercial
28 retail options within Washington state ferries' terminals, and for
29 other projects as determined by the work group.

30 (iii) The work group must update the 2012 recommendations and
31 devise an implementation plan for the state.

32 (d) The work group must submit a preliminary report, including
33 any recommendations or draft legislation, to the office of the
34 governor and the transportation committees of the legislature by
35 December 15, 2023. The work group must submit a final report with
36 draft legislation to the office of the governor and the
37 transportation committees of the legislature by July 1, 2024.

38 **(3) \$450,000 of the motor vehicle account—state appropriation is**
39 **for the joint transportation committee to provide oversight on the**
40 **procurement of the hybrid-electric Olympic class vessels. The**

1 **committee must hire an expert consultant to review Washington state**
2 **ferries documents and procedures relating to the procurement and to**
3 **identify opportunities to improve the process for the benefit of the**
4 **state of Washington. The consultant must be familiar with vessel**
5 **procurement best practices, the technologies and propulsion systems**
6 **planned for use in new vessels, and Washington state ferries**
7 **operations and procurement procedures. A report on the status and**
8 **assessment of the procurement is due by December 15th of each year.**

9 (4) \$300,000 of the motor vehicle account—state appropriation is
10 for the joint transportation committee, from amounts set aside out of
11 statewide fuel taxes distributed to cities according to RCW
12 46.68.110(2), to contract with the municipal research and services
13 center to convene a department of transportation-local government
14 partnership work group to create a procedure in which the department
15 of transportation can partner with a local jurisdiction to perform
16 preservation and maintenance and construct projects on state
17 highways.

18 (a) The work group must consist of, but is not limited to, the
19 following members:

20 (i) One representative from a city with a population of more than
21 5,000 and fewer than 50,000;

22 (ii) One representative from a city with a population of more
23 than 50,000;

24 (iii) One representative from a county with a population of more
25 than 100,000 and fewer than 400,000;

26 (iv) One representative from a county with a population of more
27 than 400,000;

28 (v) At least one representative of a public port;

29 (vi) A representative from the county road administration board;

30 (vii) A representative of the transportation improvement board;

31 (viii) At least one representative from the department of
32 transportation's local programs division;

33 (ix) At least two representatives from the department of
34 transportation with expertise in procurement and legal services; and

35 (x) At least one member from the house of representatives
36 transportation committee and at least one member from the senate
37 transportation committee.

38 (b) Of the members described in (a) of this subsection, at least
39 one of the city representatives and one of the county representatives
40 must have public works contracting experience, and at least one of

1 the city representatives and one of the county representatives must
2 have public works project management experience.

3 (c) The work group must make recommendations of how the
4 department of transportation could better work in partnership with
5 local jurisdictions to ensure that roadway construction projects can
6 be performed when funds are made available in the omnibus
7 transportation appropriations act even if the department of
8 transportation does not have the capacity to be the project manager
9 on a project and a local jurisdiction is ready, willing, and able to
10 implement the project within the time frames envisioned in the
11 omnibus transportation appropriations act. In developing its
12 recommendations, the work group must consider, at a minimum:

13 (i) Differing roadway and construction standards between state
14 and local agencies;

15 (ii) Revenue, reimbursement, and financial agreements between
16 state and local agencies;

17 (iii) Differing procurement processes between state and local
18 agencies;

19 (iv) Liability; and

20 (v) Other issues as determined by the work group.

21 (d) The work group must submit a preliminary report, including
22 any recommendations, to the office of the governor and the
23 transportation committees of the legislature by December 15, 2023.
24 The work group must submit a final report to the office of the
25 governor and the transportation committees of the legislature by July
26 1, 2024.

27 (5) (a) \$2,000,000 of the carbon emissions reduction account—state
28 appropriation is for the joint transportation committee to oversee:

29 (i) The design of an infrastructure and incentive strategy to
30 drive the purchase and use of zero emission medium and heavy duty
31 vehicles, as well as cargo handling and off-road equipment, in the
32 state including, but not limited to, programs for tractor trucks, box
33 trucks, drayage trucks, refuse trucks, step and panel vans, heavy and
34 medium-duty buses, school buses, on and off-road terminal tractors,
35 transport refrigeration units, forklifts, container handling
36 equipment, airport cargo loaders, and railcar movers; and

37 (ii) A review of the passenger vehicle tax incentive in current
38 law and evaluation of its utility, to include possible modification
39 of the criteria for eligibility and tax incentive amount maximums, as
40 applicable.

1 (b) Design development must include recommendations for
2 encouraging vehicle conversions for smaller commercial vehicle fleets
3 and owner-operators of commercial vehicles, as well as tools for
4 facilitating carbon emission reductions to benefit vulnerable
5 populations and overburdened communities. Infrastructure and
6 incentive programs recommended may include, but are not limited to,
7 grant, rebate, tax incentive, and financing assistance programs.

8 (c) Consultation with legislative members identified by the chair
9 and ranking members of the transportation committees of the
10 legislature throughout design of the infrastructure and incentive
11 strategy is required. A report is due to the transportation
12 committees of the legislature by January 2, 2024.

13 (6) \$125,000 of the motor vehicle account—state appropriation and
14 \$125,000 of the multimodal transportation account—state appropriation
15 are for the joint transportation committee to evaluate potential
16 options and make recommendations for a statewide household travel
17 survey and additional analytical capacity regarding transportation
18 research.

19 (a) The recommendation on the statewide household travel survey
20 must be based on how well a statewide survey investment would:
21 Address policy questions related to household travel; address gaps
22 between separate regional and local transportation models; and create
23 a dataset to allow both for analysis and response to policymakers'
24 questions relating to household travel and for transportation
25 modeling and development. In evaluating potential survey options, the
26 committee shall consider opportunities for the state to partner and
27 expand on developed established household travel surveys, including
28 surveys conducted at both the Puget Sound regional council and the
29 federal highway administration. In its recommendation, the committee
30 shall outline the process required for a statewide survey, including
31 the costs and timing of each option.

32 (b) The committee shall recommend an agency or agencies to
33 perform ongoing analysis of a statewide household travel survey and
34 other transportation research. The committee shall consider the
35 ability of an agency or agencies to meet shorter timeline policy
36 needs, as well as longer timeline research projects. The
37 recommendation must include the timing and costs associated with the
38 development of such analytical capacity.

1 (7) \$1,000,000 of the carbon emissions reduction account—state
2 appropriation is for the joint transportation committee to oversee
3 the development of tools and methodologies to assist in program
4 delivery evaluation for programs that receive appropriations from the
5 carbon emissions reduction account. Program delivery evaluation must
6 include carbon emissions reduction estimates by program and by unit
7 of time, program cost per unit of emission reduction, quantified
8 benefits to vulnerable populations and overburdened communities by
9 program cost, any additional appropriate qualitative and quantitative
10 metrics, and actionable recommendations for improvements in program
11 delivery. A report is due to the transportation committees of the
12 legislature by October 1, 2024.

13 (8) \$500,000 of the motor vehicle account—state appropriation is
14 for the joint transportation committee to engage an independent
15 review team to work in coordination with the Washington state
16 department of transportation's analysis, funded in section 217(11) of
17 this act, of highway, road, and freight rail transportation needs,
18 options, and impacts from shifting the movement of freight and goods
19 that currently move by barge through the lower Snake river dams to
20 highways, other roads, and rail.

21 (a) The department shall include the independent review team in
22 all phases of the analysis to enable the team to develop an
23 independent assessment of the analysis, assumptions, stakeholder
24 engagement, and cost and impact estimates. Summary findings from the
25 independent assessment must be provided to the department, the
26 governor's office, and the transportation committees of the
27 legislature on a quarterly basis, with a final report due to the
28 governor and the transportation committees of the legislature by June
29 30, 2025.

30 (b) The independent review team must conduct an independent
31 stakeholder engagement effort. The river transportation work group
32 must be formed to provide data and guidance to the independent review
33 team for the independent stakeholder engagement effort. The river
34 transportation work group must be made up of stakeholders, including
35 farming and agricultural production, federally recognized tribes and
36 fishing industry, tug and barge operators, shippers and receivers,
37 public ports, railroad operators, cruise lines, the federal highway
38 administration, and the army corps of engineers.

1 (c) The independent review team shall make regular presentations
2 to the joint transportation committee and, by request, to the
3 transportation committees of the legislature.

4 (9) The joint transportation committee shall also convene a work
5 group that includes, but is not limited to, the executive committee
6 of the joint transportation committee, the office of financial
7 management, the Washington state department of transportation, and
8 the Washington state treasurer's office to develop recommendations,
9 by October 15, 2023, to meet the challenge of identifying an
10 achievable delivery schedule for completing transportation projects
11 across the state.

**Sec. 204 was partially vetoed. See message at end of chapter.*

12 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

13	Motor Vehicle Account—State Appropriation.	\$3,029,000
14	Interstate 405 and State Route Number 167 Express	
15	Toll Lanes Account—State Appropriation.	\$150,000
16	Multimodal Transportation Account—State	
17	Appropriation.	\$200,000
18	State Route Number 520 Corridor Account—State	
19	Appropriation.	\$288,000
20	Tacoma Narrows Toll Bridge Account—State	
21	Appropriation.	\$179,000
22	Alaskan Way Viaduct Replacement Project Account—	
23	State Appropriation.	\$167,000
24	TOTAL APPROPRIATION.	\$4,013,000

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

27 (1) \$125,000 of the multimodal transportation account—state
28 appropriation and \$125,000 of the motor vehicle account—state
29 appropriation are provided solely for the commission to update the
30 statewide transportation plan required under RCW 47.01.071(4). The
31 update process must be informed by guidance from a steering committee
32 comprised of the commission, the joint transportation committee's
33 executive committee, the governor's office, the secretary of the
34 department of transportation, and representatives of metropolitan and
35 regional transportation planning organizations. As part of the update
36 process, the commission shall undertake specific actions in the
37 following order:

1 (a) Conduct stakeholder outreach, gathering input, and framing
2 the outreach around the current plan's policy construct and high
3 level priorities, the 2022 transportation revenue package, and
4 recently enacted significant policy legislation;

5 (b) Report outreach findings and results to the joint
6 transportation committee for review and input;

7 (c) Restructure the plan to (i) primarily focus on high level
8 policy priorities within the six transportation policy goals under
9 RCW 47.04.280 and (ii) align policies, strategies, and objectives
10 with the interests of stakeholders and legislators;

11 (d) Gather further input from stakeholders and the joint
12 transportation committee on the restructured plan's format and
13 content; and

14 (e) Finalize the updated plan, based upon input from stakeholders
15 and the joint transportation committee.

16 (2) The legislature finds that the current balance of and
17 projected revenues into the Alaskan Way viaduct replacement project
18 account are sufficient to meet financial obligations during fiscal
19 years 2024 and 2025.

20 (3) Within the parameters established under RCW 47.56.880, the
21 commission shall review toll revenue performance on the Interstate
22 405 and state route number 167 corridor and adjust Interstate 405
23 tolls as appropriate to increase toll revenue to provide sufficient
24 funds for payments of future debt pursuant to RCW 47.10.896 and to
25 support improvements to the corridor. The commission shall consider
26 adjusting maximum toll rates, minimum toll rates, and time-of-day
27 rates, and restricting direct access ramps to transit and HOV
28 vehicles only, or any combination thereof, in setting tolls to
29 increase toll revenue. The commission is encouraged to make any
30 adjustments to toll rates in coordination with the planned expansion
31 of express toll lanes between the cities of Renton and Bellevue.

32 (4) \$500,000 of the motor vehicle account—state appropriation is
33 provided solely for the commission to conduct a route jurisdiction
34 study aimed at assessing the current state highway inventory and
35 local roadway designations to determine if changes are needed in
36 jurisdictional assignment between the state, county, and city road
37 systems. The study must also review current criteria used to define
38 the state highway system to determine if such criteria continue to be
39 applicable. The commission shall submit a report of study findings

1 and recommendations to the transportation committees of the
2 legislature by July 1, 2025.

3 (5) The commission may coordinate with the department of
4 transportation to jointly seek federal funds available through the
5 federal strategic innovations in revenue collection grant program,
6 applying toll credits for meeting match requirements. The commission
7 must provide draft applications for federal grant opportunities to
8 the chairs and ranking members of the transportation committees of
9 the legislature for review and comment prior to submission.

10 (6) The transportation commission shall conduct an assessment
11 aimed at identifying approaches to streamlining the current rule-
12 making process for setting toll rates and policies for eligible toll
13 facilities, while maintaining public access and providing
14 opportunities to provide input on proposals. The intent of the
15 assessment is to identify rule-making approaches that support the
16 state's ability to set toll rates and policies in a timely and
17 efficient manner, so that the state can meet anticipated funding
18 obligations. This assessment should include a review of rate-setting
19 processes used by toll authorities in other states. The
20 transportation commission shall provide recommendations to the
21 transportation committees of the legislature by July 31, 2024.

22 (7) The commission shall provide regular updates on the status of
23 ongoing coordination with the state of Oregon on any bistate
24 agreements regarding the mutual or joint setting, adjustment, and
25 review of toll rates and exemptions. Prior to finalizing any such
26 agreement, the commission shall provide a draft of the agreement to
27 the transportation committees of the legislature for review and
28 input. Additionally, the commission shall advise on the status of any
29 bistate agreements to the joint transportation committee beginning in
30 September 2023 and quarterly thereafter until any agreements are
31 finalized.

32 (8) \$200,000 of the motor vehicle account—state appropriation is
33 provided solely for the commission to carry out a study assessing
34 approaches to increasing safety and compliance of high occupancy
35 vehicle lanes, express toll lanes, tolled facilities, and
36 construction zones, facilitated by advanced technologies.

37 (a) The approaches assessed must, at a minimum, focus on advanced
38 roadside technologies that: Are able to operate independently without
39 connection to the department of transportation's existing
40 communication systems and utilities; have a limited physical

1 footprint that does not use over-roadway infrastructure; and have a
2 95 percent or greater license plate reading accuracy.

3 (b) The study must review current laws, including assessing
4 underlying policies related to prohibitions on program cost coverage
5 coming from infraction or other revenues generated by advanced
6 technology systems, and identify provisions needed to enable a future
7 technology-based safety and compliance program.

8 (c) The commission shall submit an interim report to the
9 transportation committees of the legislature by January 10, 2024,
10 that, at a minimum, provides an initial assessment of the viability
11 of deploying a system into operation. A final report of findings and
12 recommendations must be submitted to the transportation committees of
13 the legislature by June 30, 2024.

14 (9) \$75,000 of the multimodal transportation account—state
15 appropriation is provided solely for the commission to carry out an
16 initial assessment and scoping effort to determine the feasibility of
17 creating a future west coast transportation network plan. This plan
18 would serve to proactively identify and coordinate improvements and
19 investments across the west coast states to freight rail, passenger
20 rail, highways, and air transportation. The intent for the plan is to
21 leverage and align west coast efforts to reduce our collective carbon
22 footprint, improve freight and passenger mobility, and strengthen
23 west coast resiliency. This effort must be carried out in partnership
24 with the Oregon and California transportation commissions and the
25 state department of transportations from each state, and must
26 consider, but not be limited to:

27 (a) Current state activities, investments, and plans that support
28 the establishment of clean transportation in the air, on the
29 highways, and on rail lines moving freight and passengers;

30 (b) Currently identified resiliency risks along the west coast
31 and existing strategic plans and investments that could inform a
32 future west coast unified plan; and

33 (c) Incorporation of work from the statewide transportation
34 policy plan.

35 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
36 **INVESTMENT BOARD**

37 Multimodal Transportation Account—State
38 Appropriation. \$400,000

1	Freight Mobility Investment Account—State	
2	Appropriation.	\$1,591,000
3	TOTAL APPROPRIATION.	\$1,991,000

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

6 (1) Within appropriated funds, the freight mobility strategic
7 investment board may opt in as provided under RCW 70A.02.030 to
8 assume all of the substantive and procedural requirements of covered
9 agencies under chapter 70A.02 RCW. The board shall include in its
10 2023 and 2024 annual reports to the legislature a progress report on
11 opting into the healthy environment for all act and a status report
12 on diversity, equity, and inclusion within the board's jurisdiction.

13 (2) The board shall on an annual basis provide a status update on
14 project delivery, including information on project timeline, cost,
15 and budgeted cash flow over time to the office of financial
16 management and the transportation committees of the legislature on
17 the delivery of the freight mobility strategic investment projects on
18 LEAP Transportation Document 2023-2 ALL PROJECTS, as developed on
19 April 21, 2023.

20 (3) \$731,000 of the freight mobility investment account—state
21 appropriation is provided solely for the implementation of
22 chapter . . . (Substitute House Bill No. 1084), Laws of 2023 (freight
23 mobility priorities). If chapter . . . (Substitute House Bill No.
24 1084), Laws of 2023 is not enacted by June 30, 2023, the amount
25 provided in this subsection lapses.

26 (4) \$400,000 of the multimodal transportation account—state
27 appropriation is provided solely for the board, in consultation with
28 the department of transportation, to develop an implementation plan
29 for specific truck parking solutions. It is the intent of the
30 legislature for the board to identify specific sites to increase
31 truck parking capacity in the near term, as well as to recommend
32 other steps that can be taken in the 2024 and 2025 legislative
33 sessions to increase truck parking capacity. The board must provide a
34 status report that includes funding recommendations for the 2024
35 legislative session to the transportation committees of the
36 legislature by December 1, 2023, and a final report that includes
37 detailed findings on additional specific sites and specific actions
38 recommended to expand truck parking capacity in the near term to the
39 transportation committees of the legislature by December 1, 2024.

1 *NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

2	Alaskan Way Viaduct Replacement Project Account—	
3	State Appropriation.	\$43,000
4	State Patrol Highway Account—State Appropriation.	\$610,711,000
5	State Patrol Highway Account—Federal Appropriation.	\$20,340,000
6	State Patrol Highway Account—Private/Local	
7	Appropriation.	\$4,594,000
8	Highway Safety Account—State Appropriation.	\$1,447,000
9	Ignition Interlock Device Revolving Account—State	
10	Appropriation.	\$1,959,000
11	Multimodal Transportation Account—State	
12	Appropriation.	\$316,000
13	State Route Number 520 Corridor Account—State	
14	Appropriation.	\$89,000
15	Tacoma Narrows Toll Bridge Account—State	
16	Appropriation.	\$275,000
17	I-405 and SR 167 Express Toll Lanes Account—State	
18	Appropriation.	\$2,895,000
19	TOTAL APPROPRIATION.	\$642,669,000

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

22 (1) \$580,000 of the state patrol highway account—state
23 appropriation is provided solely for the operation of and
24 administrative support to the license investigation unit to enforce
25 vehicle registration laws in southwestern Washington. The Washington
26 state patrol, in consultation with the department of revenue, shall
27 maintain a running estimate of the additional vehicle registration
28 fees, sales and use taxes, and local vehicle fees remitted to the
29 state pursuant to activity conducted by the license investigation
30 unit. Beginning October 1, 2023, and semiannually thereafter, the
31 Washington state patrol shall submit a report detailing the
32 additional revenue amounts generated since July 1, 2023, to the
33 director of the office of financial management and the transportation
34 committees of the legislature. At the end of the fiscal quarter in
35 which it is estimated that more than \$625,000 in state sales and use
36 taxes have been remitted to the state since July 1, 2023, the
37 Washington state patrol shall notify the state treasurer and the
38 state treasurer shall transfer funds pursuant to section 406 of this
39 act.

1 (2) Washington state patrol officers engaged in off-duty
2 uniformed employment providing traffic control services to the
3 department of transportation or other state agencies may use state
4 patrol vehicles for the purpose of that employment, subject to
5 guidelines adopted by the chief of the Washington state patrol. The
6 Washington state patrol must be reimbursed for the use of the vehicle
7 at the prevailing state employee rate for mileage and hours of usage,
8 subject to guidelines developed by the chief of the Washington state
9 patrol.

10 (3) (a) By December 1st of each year during the 2023-2025 fiscal
11 biennium, the Washington state patrol must report to the
12 transportation committees of the legislature on the status of
13 recruitment and retention activities as follows:

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

15 (ii) The number of transportation funded staff vacancies by major
16 category;

17 (iii) The number of applicants for each of the positions by these
18 categories;

19 (iv) The composition of workforce;

20 (v) Other relevant outcome measures with comparative information
21 with recent comparable months in prior years; and

22 (vi) Activities related to the implementation of the agency's
23 workforce diversity plan, including short-term and long-term,
24 specific comprehensive outreach, and recruitment strategies to
25 increase populations underrepresented within both commissioned and
26 noncommissioned employee groups.

27 (b) During the 2023-2025 fiscal biennium, the office of financial
28 management, with assistance of the Washington state patrol, must
29 conduct two surveys regarding the competitiveness with law
30 enforcement agencies within the boundaries of the state of Washington
31 pursuant to RCW 43.43.380, with the first survey being informational
32 regarding the change since the last survey was conducted and the
33 second survey used as part of the collective bargaining process.
34 Prior to the 2024 legislative session, the office of financial
35 management, with assistance of the Washington state patrol, must also
36 provide comparison information regarding recruitment bonus amounts
37 currently being offered by local law enforcement agencies in the
38 state.

1 (4) (a) \$6,575,000 of the state patrol highway account—state
2 appropriation is provided solely for the land mobile radio system
3 replacement, upgrade, and other related activities.

4 (b) Beginning January 1, 2024, the Washington state patrol must
5 report semiannually to the office of the chief information officer on
6 the progress related to the projects and activities associated with
7 the land mobile radio system, including the governance structure,
8 outcomes achieved in the prior six-month time period, and how the
9 activities are being managed holistically as recommended by the
10 office of the chief information officer. At the time of submittal to
11 the office of the chief information officer, the report must be
12 transmitted to the office of financial management and the
13 transportation committees of the legislature.

14 **(5) The appropriations in this section provide sufficient funding**
15 **for state patrol staffing assuming vacancy savings that may change**
16 **over time. Funding for staffing will be monitored and adjusted in the**
17 **2024 supplemental transportation appropriations act to restore**
18 **funding as authorized staffing levels are achieved.**

19 (6) \$2,688,000 of the state patrol highway account—state
20 appropriation is provided solely for enhancing the state patrol's
21 diversity, equity, and inclusion program, a community engagement
22 program to improve relationships with historically underrepresented
23 communities and to recruit and retain a diverse workforce, and
24 contracting with an external psychologist to perform exams. The state
25 patrol will work with the governor's office of equity and meet all
26 reporting requirements and responsibilities pursuant to RCW
27 43.06D.060. Funds provided for the community engagement program must
28 ensure engagement with communities throughout the state.

29 (7) (a) \$10,000 of the state patrol highway account—state
30 appropriation is provided solely for the Washington state patrol to
31 administer a pilot program that implements a yellow alert system
32 notifying the public when a hit-and-run accident resulting in a
33 fatality or substantial bodily harm has occurred and been reported to
34 the state patrol or other local law enforcement entity. The
35 Washington state patrol must post on traffic message boards or share
36 on public communication systems any identifying information acquired
37 including, but not limited to, a complete or partial license plate
38 number or a description of the vehicle. Each alert must be posted or
39 shared as such for at least 24 hours.

1 (b) The Washington state patrol must report the following to the
2 transportation committees of the legislature annually until June 30,
3 2025:

4 (i) The number of yellow alerts received;

5 (ii) The number of arrests made from accidents reported on the
6 yellow alert system;

7 (iii) The number of hit-and-run accidents resulting in a fatality
8 or substantial bodily harm statewide;

9 (iv) The number of arrests made from accidents described under
10 (b)(iii) of this subsection; and

11 (v) The number of hit-and-run accidents reported statewide.

12 (c) The Washington state patrol must also report on the efficacy
13 of the program and recommend in its final report if the pilot program
14 should continue or be enacted on a permanent basis and implemented
15 statewide, based on the results of the report.

16 (8) (a) \$2,608,000 of the state patrol highway account—state
17 appropriation is provided solely for administrative costs,
18 advertising, outreach, and bonus payments associated with developing
19 and implementing a state trooper expedited recruitment incentive
20 program for the purpose of recruiting and filling vacant trooper
21 positions in the 2023-2025 fiscal biennium. The legislature is
22 committed to continuing the state trooper expedited recruitment
23 incentive program until the vacancy levels are significantly reduced
24 from current levels. The recruitment, advertising, and outreach
25 associated with this program must continue efforts to create a more
26 diverse workforce and must also provide an accelerated pathway for
27 joining the state patrol for high quality individuals who have
28 previously been employed as a general authority peace officer.

29 (b) The state trooper expedited recruitment incentive program
30 established by the Washington state patrol must include:

31 (i) Thorough hiring procedures to ensure that only the highest
32 quality candidates are selected as cadets and as lateral hires,
33 including extensive review of past law enforcement employment history
34 through extensive reference checks, Brady list identification, and
35 any other issues that may impact the performance, credibility, and
36 integrity of the individual.

37 (ii) An accelerated training program for lateral hires from other
38 agencies that recognizes the knowledge and experience of candidates
39 previously employed in law enforcement; and

1 (iii) A sign-on bonus for each trooper hired through the
2 expedited recruitment incentive program as follows:

3 (A) \$5,000 for each cadet after completion of the Washington
4 state patrol academy;

5 (B) \$5,000 for each successful graduating cadet after completion
6 of a one-year probation period;

7 (C) \$8,000 for each lateral hire after completion of the
8 accelerated training program for lateral hires;

9 (D) \$6,000 for each lateral hire after completion of a one-year
10 probation period; and

11 (E) \$6,000 for each lateral hire after completion of two years of
12 service.

13 (c) The expenditure on the state trooper expedited recruitment
14 incentive program is contingent upon execution of an appropriate
15 memorandum of understanding between the governor or the governor's
16 designee and the exclusive bargaining representative, consistent with
17 the terms of this section. Expenditures and eligibility for the state
18 trooper expedited recruitment incentive program established in this
19 section are subject to the availability of amounts appropriated for
20 this specific purpose.

21 (d) For the purposes of this subsection:

22 (i) "Cadet" means a person employed for the express purpose of
23 receiving the on-the-job training required for attendance at the
24 Washington state patrol academy and for becoming a commissioned
25 trooper.

26 (ii) "Lateral hire" means an eligible employee previously
27 employed as a general authority peace officer.

28 (9) \$3,896,000 of the state patrol highway account—state
29 appropriation is provided solely for implementation of chapter . . .
30 (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 (speed
31 safety cameras). If chapter . . . (Engrossed Substitute Senate Bill
32 No. 5272), Laws of 2023 is not enacted by June 30, 2023, the amount
33 provided in this subsection lapses.

34 (10) \$500,000 of the state patrol highway account—state
35 appropriation is provided solely for bonuses and other recruitment
36 and retention-related compensation adjustments for communication
37 officers and other noncommissioned staff of the Washington state
38 patrol who are covered by a collective bargaining agreement. Funding
39 in this subsection must first be used for targeted adjustments for
40 communication officers. Remaining amounts may be used for

1 compensation adjustments for other noncommissioned staff. Funding
2 provided in this subsection is contingent upon the governor or the
3 governor's designee reaching an appropriate memorandum of
4 understanding with the exclusive bargaining representative.
5 Agreements reached for compensation adjustments under this section
6 may not exceed the amounts provided. If any agreement or combination
7 of agreements exceed the amount provided in this subsection, all the
8 agreements are subject to the requirements of RCW 41.80.010(3).

9 (11) \$4,732,000 of the state patrol highway account—state
10 appropriation is provided solely for two accelerated training
11 programs for lateral hires.

12 (12) \$98,000 of the state patrol highway account—state
13 appropriation is provided solely for the implementation of
14 chapter . . . (House Bill No. 1179), Laws of 2023 (nonconviction
15 data). If chapter . . . (House Bill No. 1179), Laws of 2023 is not
16 enacted by June 30, 2023, the amount provided in this subsection
17 lapses.

18 (13) \$76,000 of the state patrol highway account—state
19 appropriation is provided solely for the implementation of
20 chapter . . . (House Bill No. 1112), Laws of 2023 (negligent
21 driving). If chapter . . . (House Bill No. 1112), Laws of 2023 is not
22 enacted by June 30, 2023, the amount provided in this subsection
23 lapses.

24 (14) \$107,000 of the state patrol highway account—state
25 appropriation is provided solely for the implementation of
26 chapter . . . (Engrossed Second Substitute House Bill No. 1715), Laws
27 of 2023 (domestic violence). If chapter . . . (Engrossed Second
28 Substitute House Bill No. 1715), Laws of 2023 is not enacted by June
29 30, 2023, the amount provided in this subsection lapses.

30 (15) By December 1, 2024, the Washington state patrol must
31 provide a report to the governor and appropriate committees of the
32 legislature on the status of *McClain v. Washington State Patrol* and
33 an update on legal expenses associated with the case.

34 (16) \$32,000 of the state patrol highway account—state
35 appropriation is provided solely for the implementation of
36 chapter . . . (Senate Bill No. 5606), Laws of 2023 (illegal racing).
37 If chapter . . . (Senate Bill No. 5606), Laws of 2023 is not enacted
38 by June 30, 2023, the amount provided in this subsection lapses.

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

1 *NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

2	Driver Licensing Technology Support Account—State	
3	Appropriation.	\$1,743,000
4	Marine Fuel Tax Refund Account—State Appropriation.	\$34,000
5	Motorcycle Safety Education Account—State	
6	Appropriation.	\$5,299,000
7	Limited Fish and Wildlife Account—State	
8	Appropriation.	\$765,000
9	Highway Safety Account—State Appropriation.	\$277,256,000
10	Highway Safety Account—Federal Appropriation.	\$2,371,000
11	Motor Vehicle Account—State Appropriation.	\$98,824,000
12	Motor Vehicle Account—Private/Local Appropriation.	\$1,336,000
13	Ignition Interlock Device Revolving Account—State	
14	Appropriation.	\$6,401,000
15	Department of Licensing Services Account—State	
16	Appropriation.	\$8,972,000
17	License Plate Technology Account—State Appropriation.	\$4,204,000
18	Abandoned Recreational Vehicle Account—State	
19	Appropriation.	\$3,091,000
20	Limousine Carriers Account—State Appropriation.	\$126,000
21	Electric Vehicle Account—State Appropriation.	\$443,000
22	DOL Technology Improvement & Data Management	
23	Account—State Appropriation.	\$944,000
24	Agency Financial Transaction Account—State	
25	Appropriation.	\$16,998,000
26	Move Ahead WA Flexible Account—State Appropriation.	\$2,096,000
27	TOTAL APPROPRIATION.	\$430,903,000

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

30 (1) \$1,100,000 of the highway safety account—state appropriation
31 and \$1,100,000 of the move ahead WA flexible account—state
32 appropriation are provided solely for the department to provide an
33 interagency transfer to the department of children, youth, and
34 families for the purpose of providing driver's license support. In
35 addition to support services required under RCW 74.13.338(2), support
36 services may include reimbursement of:

1 (a) The cost for a youth in foster care of any eligible age to
2 complete a driver training education course, as outlined in chapter
3 46.82 or 28A.220 RCW;

4 (b) The costs incurred by foster youth in foster care for a motor
5 vehicle insurance policy;

6 (c) The costs of roadside assistance, motor vehicle insurance
7 deductibles, motor vehicle registration fees, towing services, car
8 maintenance, comprehensive car insurance, and gas cards; and

9 (d) Any other costs related to obtaining a driver's license and
10 driving legally and safely.

11 (2) \$150,000 of the highway safety account—state appropriation is
12 provided solely for the department to conduct a study on the
13 feasibility of implementing a mobile application for driver
14 licensing. The department must submit a report of the study findings
15 and any recommendations to the governor and the transportation
16 committees of the legislature by December 1, 2024. The study must:

17 (a) Review the adoption actions in other states, including
18 successes and lessons learned;

19 (b) Examine existing technical infrastructure and potential
20 changes needed to maximize interoperability, utility, and privacy
21 protection;

22 (c) Identify the technical investments and other costs associated
23 with issuing digital drivers' licenses through a mobile application;

24 (d) Identify how the technology may impact and can be used by
25 external stakeholders, such as law enforcement;

26 (e) Recommend any process changes required to implement the
27 program successfully and ensure customer satisfaction; and

28 (f) Recommend any statutory changes required to allow for the
29 usage of digital drivers' licenses, including recognition of
30 interstate travelers.

31 (3) (a) \$350,000 of the highway safety account—state appropriation
32 is provided solely for the department, in consultation with the
33 Washington traffic safety commission, the department of health, the
34 elder law section of the Washington state bar association, the
35 organizations representing older drivers, and driver rehabilitation
36 specialists, to develop a comprehensive plan aimed at improving older
37 driver safety. The department must submit a report on the
38 comprehensive plan to the governor and the transportation committees
39 of the legislature by December 1, 2024. The plan must include, but is
40 not limited to:

1 (i) A comprehensive review of department policies surrounding
2 older drivers and medically at-risk drivers, including:

3 (A) The medical assessment review process; and

4 (B) The counter assessment process in licensing service offices;

5 (ii) A feasibility analysis of the department establishing a
6 medical advisory board to advise on general policy for at-risk
7 drivers, driving privileges for individual medically at-risk drivers,
8 and an appeals process for drivers whose privileges are revoked or
9 restricted due to medical conditions;

10 (iii) A recommended assessment tool to determine a driver's
11 potential risk to themselves or others when operating a motor vehicle
12 so the department may make informed decisions on appropriate courses
13 of action within the older driver program; and

14 (iv) Detailed information on how each component of the plan
15 improves the safety associated with older drivers, while preserving
16 the maximum level of older driver independence and privacy;

17 (b) The department may also use funds provided in this subsection
18 to implement improvements to older driver traffic safety within
19 existing authority.

20 (4) \$5,499,000 of the motor vehicle account—state appropriation
21 is provided solely for the department to upgrade and improve its
22 prorated and fuel tax system, and is subject to the conditions,
23 limitations, and review requirements of section 701 of this act. In
24 each phase of the project, the department must ensure and document
25 the increase in business capabilities and customer service outcomes,
26 the improvements in fuel tax collection related information designed
27 to resolve historical discrepancies in reporting information, and how
28 the implementation plan mitigates risks associated with the proposed
29 timeline and results in the sustainability of systems and platforms
30 for the future. Before initiating the implementation phase of the
31 project, the department must report to the office of the chief
32 information officer on how the project meets its FAST act
33 modernization roadmap, and vendor management and resource plans.

34 (5) \$16,000 of the motorcycle safety education account—state
35 appropriation, \$2,000 of the limited fish and wildlife account—state
36 appropriation, \$947,000 of the highway safety account—state
37 appropriation, \$308,000 of the motor vehicle account—state
38 appropriation, \$14,000 of the ignition interlock device revolving
39 account—state appropriation, and \$14,000 of the department of

1 licensing services account—state appropriation are provided solely
2 for the department to redesign and improve its online services and
3 website, and are subject to the conditions, limitations, and review
4 requirements in section 701 of this act.

5 (6) The department shall report on a quarterly basis on licensing
6 service office operations, associated workload, and information with
7 comparative information with recent comparable months in prior years.
8 The report must include detailed statewide and by licensing service
9 office information on staffing levels, average monthly wait times,
10 the number of enhanced drivers' licenses and enhanced identicards
11 issued and renewed, and the number of primary drivers' licenses and
12 identicards issued and renewed. By November 1, 2024, the department
13 must prepare a report with recommendations on the future of licensing
14 service office operations based on the recent implementation of
15 efficiency measures designed to reduce the time for licensing
16 transactions and wait times, and the implementation of statutory and
17 policy changes made during the pandemic.

18 (7) For the 2023-2025 fiscal biennium, the department shall
19 charge \$1,336,000 for the administration and collection of a motor
20 vehicle excise tax on behalf of a regional transit authority, as
21 authorized under RCW 82.44.135. The amount in this subsection must be
22 deducted before distributing any revenues to a regional transit
23 authority.

24 (8) \$742,000 of the motor vehicle account—state appropriation is
25 provided solely for the increased costs associated with improvements
26 desired to resolve delays in the production of license plates,
27 including converting all subagents to the standard ordering process
28 as recommended in the December 2022 plate inventory report, and to
29 provide updated annual reports detailing changes in license plate
30 production, inventory, and other practices taken to guard against
31 plate production delays. The reports must be submitted to the
32 governor and the transportation committees of the legislature by
33 December 1, 2023, and December 1, 2024.

34 (9) \$243,000 of the highway safety account—state appropriation is
35 provided solely for the department to continue to provide written
36 materials on, place signage in licensing service offices regarding,
37 and include into new driver training curricula, the requirements of
38 RCW 46.61.212, the slow down and move over law.

1 **(10) The appropriations in this section provide sufficient**
2 **funding for the department of licensing assuming vacancy savings**
3 **which may change over time. Funding for staffing will be monitored**
4 **and adjusted in the 2024 supplemental transportation appropriations**
5 **act to restore funding as authorized staffing levels are achieved.**

6 (11) \$3,082,000 of the abandoned recreational vehicle disposal
7 account—state appropriation is provided solely for providing
8 reimbursements in accordance with the department's abandoned
9 recreational vehicle disposal reimbursement program. It is the intent
10 of the legislature that the department prioritize this funding for
11 allowable and approved reimbursements and not to build a reserve of
12 funds within the account. During the 2023-2025 fiscal biennium, the
13 department must report any amounts recovered to the office of
14 financial management and appropriate committees of the legislature on
15 a quarterly basis.

16 (12) \$1,077,000 of the highway safety account—federal
17 appropriation is provided solely for implementation of chapter . . .
18 (Senate Bill No. 5041), Laws of 2023 (CDL drug and alcohol
19 clearinghouse) or chapter . . . (House Bill No. 1448), Laws of 2023
20 (CDL drug and alcohol clearinghouse). If neither chapter . . .
21 (Senate Bill No. 5041), Laws of 2023 or chapter . . . (House Bill No.
22 1448), Laws of 2023 are enacted by June 30, 2023, the amount provided
23 in this subsection lapses.

24 (13) \$116,000 of the highway safety account—state appropriation
25 is provided solely for implementation of chapter . . . (Senate Bill
26 No. 5251), Laws of 2023 (streamlining CDL issuance) or chapter . . .
27 (House Bill No. 1058), Laws of 2023 (streamlining CDL issuance). If
28 neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or
29 chapter . . . (House Bill No. 1058), Laws of 2023 are enacted by June
30 30, 2023, the amount provided in this subsection lapses.

31 (14) \$845,000 of the highway safety account—state appropriation
32 is provided solely for the implementation of chapter . . .
33 (Substitute Senate Bill No. 5583), Laws of 2023 (improving young
34 driver safety). If chapter . . . (Substitute Senate Bill No. 5583),
35 Laws of 2023 is not enacted by June 30, 2023, the amount provided in
36 this subsection lapses.

37 (15) \$180,000 of the motor vehicle account—state appropriation is
38 provided solely for the implementation of chapter . . . (Substitute
39 Senate Bill No. 5504), Laws of 2023 (open motor vehicle safety

1 recalls). If chapter . . . (Substitute Senate Bill No. 5504), Laws of
2 2023 is not enacted by June 30, 2023, the amount provided in this
3 subsection lapses.

4 (16) \$497,000 of the highway safety account—state appropriation
5 is provided solely for the implementation of chapter . . . (Engrossed
6 Second Substitute Senate Bill No. 5112), Laws of 2023 (updating
7 processes related to voter registration). If chapter . . . (Engrossed
8 Second Substitute Senate Bill No. 5112), Laws of 2023 is not enacted
9 by June 30, 2023, the amount provided in this subsection lapses.

10 (17) *\$29,000 of the motor vehicle account—state appropriation is*
11 *provided solely for the implementation of chapter . . . (Senate Bill*
12 *No. 5333), Laws of 2023 (the state sport special license plate). If*
13 *chapter . . . (Senate Bill No. 5333), Laws of 2023 is not enacted by*
14 *June 30, 2023, the amount provided in this subsection lapses.*

15 (18) *\$29,000 of the motor vehicle account—state appropriation is*
16 *provided solely for implementation of chapter . . . (Senate Bill No.*
17 *5590), Laws of 2023 (Mount St. Helens special license plate) or*
18 *chapter . . . (House Bill No. 1489), Laws of 2023 (Mount St. Helens*
19 *special license plate). If neither chapter . . . (Senate Bill No.*
20 *5590), Laws of 2023 or chapter . . . (House Bill No. 1489), Laws of*
21 *2023 are enacted by June 30, 2023, the amount provided in this*
22 *subsection lapses.*

23 (19) *\$29,000 of the motor vehicle account—state appropriation is*
24 *provided solely for implementation of chapter . . . (Substitute*
25 *Senate Bill No. 5738) (LeMay special license plate) or chapter . . .*
26 *(Substitute House Bill No. 1829), Laws of 2023 (LeMay special license*
27 *plate). If neither chapter . . . (Substitute Senate Bill No. 5738),*
28 *Laws of 2023 or chapter . . . (Substitute House Bill No. 1829), Laws*
29 *of 2023 are enacted by June 30, 2023, the amount provided in this*
30 *subsection lapses.*

31 (20) \$29,000 of the highway safety account—state appropriation is
32 provided solely for the implementation of chapter . . . (Senate Bill
33 No. 5347), Laws of 2023 (driver's abstract changes). If chapter . . .
34 (Senate Bill No. 5347), Laws of 2023 is not enacted by June 30, 2023,
35 the amount provided in this subsection lapses.

36 (21) \$47,000 of the highway safety account—state appropriation is
37 provided solely for the implementation of chapter . . . (Engrossed
38 Second Substitute Senate Bill No. 5440), Laws of 2023 (competency
39 evaluations). If chapter . . . (Engrossed Second Substitute Senate

1 Bill No. 5440), Laws of 2023 is not enacted by June 30, 2023, the
2 amount provided in this subsection lapses.

3 (22) \$23,000 of the highway safety account—state appropriation is
4 provided solely for the implementation of chapter . . . (Senate Bill
5 No. 5606), Laws of 2023 (illegal racing). If chapter . . . (Senate
6 Bill No. 5606), Laws of 2023 is not enacted by June 30, 2023, the
7 amount provided in this subsection lapses.

8 (23) \$155,000 of the highway safety account—state appropriation
9 is provided solely for the implementation of chapter . . . (Second
10 Substitute Senate Bill No. 5128), Laws of 2023 (jury diversity). If
11 chapter . . . (Second Substitute Senate Bill No. 5128), Laws of 2023
12 is not enacted by June 30, 2023, the amount provided in this
13 subsection lapses.

14 (24)(a) \$36,000 of the motor vehicle account—state appropriation
15 is provided solely for the issuance of nonemergency medical
16 transportation vehicle decals to implement the high occupancy vehicle
17 lane access pilot program established in section 217(2) of this act.
18 A for hire nonemergency medical transportation vehicle is a vehicle
19 that is a "for hire vehicle" under RCW 46.04.190 that provides
20 nonemergency medical transportation, including for life-sustaining
21 transportation purposes, to meet the medical transportation needs of
22 individuals traveling to medical practices and clinics, cancer
23 centers, dialysis facilities, hospitals, and other care providers.

24 (b) As part of this pilot program, the owner of a for hire
25 nonemergency medical transportation vehicle may apply to the
26 department, county auditor or other agent, or subagent appointed by
27 the director, for a high occupancy vehicle exempt decal for a for
28 hire nonemergency medical transportation vehicle. The high occupancy
29 vehicle exempt decal allows the for hire nonemergency medical
30 transportation vehicle to use a high occupancy vehicle lane as
31 specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal
32 biennium.

33 (c) For the exemption in this subsection to apply to a for hire
34 nonemergency medical transportation vehicle, the decal:

35 (i) Must be displayed on the vehicle so that it is clearly
36 visible from outside the vehicle;

37 (ii) Must identify that the vehicle is exempt from the high
38 occupancy vehicle requirements; and

39 (iii) Must be visible from the rear of the vehicle.

1 (d) The owner of a for hire nonemergency medical transportation
2 vehicle or the owner's representative must apply for a high occupancy
3 vehicle exempt decal on a form provided or approved by the
4 department. The application must include:

5 (i) The name and address of the person who is the owner of the
6 vehicle;

7 (ii) A full description of the vehicle, including its make,
8 model, year, and the vehicle identification number;

9 (iii) The purpose for which the vehicle is principally used;

10 (iv) An attestation signed by the vehicle's owner or the owner's
11 representative that the vehicle's owner has a minimum of one contract
12 or service agreement to provide for hire transportation services for
13 medical purposes with one or more of the following entities: A health
14 insurance company; a hospital, clinic, dialysis center, or other
15 medical institution; a day care center, retirement home, or group
16 home; a federal, state, or local agency or jurisdiction; or a broker
17 who negotiates these services on behalf of one or more of these
18 entities; and

19 (v) Other information as required by the department upon
20 application.

21 (e) The department, county auditor or other agent, or subagent
22 appointed by the director shall collect the fee required under (f) of
23 this subsection when issuing or renewing a high occupancy vehicle
24 exempt decal.

25 (f) The department, county auditor or other agent, or subagent
26 must collect a \$5 fee when issuing or renewing a decal under this
27 subsection, in addition to any other fees and taxes required by law.

28 (g) A high occupancy vehicle exempt decal expires June 30, 2025,
29 and must be marked to indicate its expiration date. The decal may be
30 renewed if the pilot program is continued past the date of a decal's
31 expiration. The status as an exempt vehicle continues until the high
32 occupancy vehicle exempt decal is suspended or revoked for misuse,
33 the vehicle is no longer used as a for hire nonemergency medical
34 transportation vehicle, or the pilot program established in section
35 217(2) of this act is terminated.

36 (h) The department may adopt rules to implement this subsection.

37 (25) (a) \$265,000 of the highway safety account—state
38 appropriation is provided solely for the department to provide an
39 interagency transfer to the Washington center for deaf and hard of
40 hearing youth, in consultation with the department and the office of

1 the superintendent of public instruction, to fund the cost of
2 interpreters for driver training education for deaf and hard of
3 hearing youth to enable them to access driver training education at
4 the same cost as their peers, and to pilot a sustainable driver
5 training education program to determine how best to meet the driver
6 training education needs of deaf and hard of hearing youth in the
7 state in the future. The pilot must include:

8 (i) Determination of an appropriate number of instructors and an
9 appropriate method of certification for instructors who are fluent in
10 American Sign Language (ASL);

11 (ii) Determination of how best to provide driver training
12 education statewide to deaf and hard of hearing novice drivers;

13 (iii) Development of a program to offer the required curriculum
14 under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

15 (iv) Capped course instruction costs for deaf and hard of hearing
16 students at the average rate of their hearing peers.

17 (b) The department shall submit a report to the transportation
18 committees of the legislature developed by the Washington center for
19 deaf and hard of hearing youth by March 1, 2024, that provides
20 recommendations for a permanent program to make driver education
21 equitably accessible for deaf and hard of hearing students.

22 (26) \$350,000 of the highway safety account—state appropriation
23 is provided solely for the department to improve the process for
24 commercial driver's license (CDL) holders to submit medical
25 certification documents and update self-certification status to the
26 department. The department shall:

27 (a) Update license express to improve the process and make it
28 more user friendly;

29 (b) Add options for the driver to renew or replace the driver's
30 CDL credentials as part of the medical or self-certification process;

31 (c) Add a customer verification step confirming the requested
32 changes and clearly stating how this change will impact the driver's
33 CDL; and

34 (d) Add improved messaging throughout the process.

35 In addition, the department shall make available on the driving
36 record abstract a complete medical certificate downgrade history, and
37 provide a one-time mailing to all current CDL holders explaining the
38 process to update their medical certificate documents and self-
39 certification.

1 (27) \$1,962,000 of the highway safety account—state appropriation
2 is provided solely for the establishment of a pilot mobile licensing
3 unit to provide licensing and identicard services. By December 1,
4 2024, the department must submit a report to the governor and the
5 transportation committees of the legislature detailing the locations
6 served, the number and type of documents issued, and other outcome
7 measures associated with the mobile licensing unit. The report must
8 include consideration of the facility needs of licensing service
9 offices in the context of flexible mobile licensing services.

10 (28) \$2,000,000 of the highway safety account—state appropriation
11 is provided solely for driver's license assistance and support
12 services in King county with an existing provider that is already
13 providing these services to low-income immigrant and refugee women.
14 By December 1st of each year, the department must submit information
15 on the contracted provider, including: The annual budget of the
16 contracted provider in the preceding year; information regarding
17 private and other governmental support for the activities of the
18 provider; and a description of the number of people served, services
19 delivered, and outcome measures.

20 ***(29) (a) \$150,000 of the motor vehicle account—state appropriation***
21 ***is provided solely for the department, in consultation with the***
22 ***Washington state transportation commission, to conduct a study on the***
23 ***feasibility of implementing and administering a per-mile fee program.***
24 ***The study must:***

25 ***(i) Identify the technical investment required to implement a***
26 ***per-mile program within existing technology platforms;***

27 ***(ii) Identify the staffing and resources needed to administer the***
28 ***program, including any additional resources to support the vehicle***
29 ***licensing offices;***

30 ***(iii) Research third-party vendor options for offering customers***
31 ***different mileage reporting methods or for outsourcing certain***
32 ***aspects of administering the program; and***

33 ***(iv) Review use cases and adoption rates in other states,***
34 ***including successes and lessons learned.***

35 ***(b) A report of the study findings is due to the transportation***
36 ***committees of the legislature and the governor by December 31, 2023.***

37 (30) \$8,000 of the motorcycle safety education account—state
38 appropriation is provided solely for the implementation of
39 chapter . . . (Substitute House Bill No. 1171), Laws of 2023

1 (motorcycle safety board). If chapter . . . (Substitute House Bill
2 No. 1171), Laws of 2023 is not enacted by June 30, 2023, the amount
3 provided in this subsection lapses.

4 **(31) \$168,000 of the motor vehicle account—state appropriation is**
5 **provided solely for the implementation of chapter . . . (Engrossed**
6 **Substitute House Bill No. 1736), Laws of 2023 (vehicle odometer**
7 **readings). If chapter . . . (Engrossed Substitute House Bill No.**
8 **1736), Laws of 2023 is not enacted by June 30, 2023, the amount**
9 **provided in this subsection lapses.**

10 (32) \$29,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter . . . (Engrossed
12 Substitute House Bill No. 1853), Laws of 2023 (transportation
13 resources). If chapter . . . (Engrossed Substitute House Bill No.
14 1853), Laws of 2023 is not enacted by June 30, 2023, the amount
15 provided in this subsection lapses.

16 **(33) \$426,000 of the highway safety account—state appropriation**
17 **is provided solely for the implementation of chapter . . .**
18 **(Substitute House Bill No. 1493), Laws of 2023 (impaired driving). If**
19 **chapter . . . (Substitute House Bill No. 1493), Laws of 2023 is not**
20 **enacted by June 30, 2023, the amount provided in this subsection**
21 **lapses.**

22 (34) \$282,000 of the highway safety account—state appropriation
23 is provided solely for the implementation of chapter . . . (House
24 Bill No. 1112), Laws of 2023 (negligent driving). If chapter . . .
25 (House Bill No. 1112), Laws of 2023 is not enacted by June 30, 2023,
26 the amount provided in this subsection lapses.

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

27 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
28 **TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

29	State Route Number 520 Corridor Account—State	
30	Appropriation.	\$58,854,000
31	State Route Number 520 Civil Penalties Account—State	
32	Appropriation.	\$4,178,000
33	Tacoma Narrows Toll Bridge Account—State	
34	Appropriation.	\$30,729,000
35	Alaskan Way Viaduct Replacement Project Account—	
36	State Appropriation.	\$20,701,000
37	Interstate 405 and State Route Number 167 Express	

1	Toll Lanes Account—State Appropriation.	\$23,756,000
2	TOTAL APPROPRIATION.	\$138,218,000

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 \$12,484,000 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 annual 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; and

31 (b) Underlying congestion measurements, that is, speeds, that are
32 being used to generate the summary graphs provided, to be made
33 available in a digital file format.

34 (3) \$314,000 of the Interstate 405 and state route number 167
35 express toll lanes account—state appropriation, \$734,000 of the state
36 route number 520 corridor account—state appropriation, \$315,000 of
37 the Tacoma Narrows toll bridge account—state appropriation, and
38 \$413,000 of the Alaskan Way viaduct replacement project account—state
39 appropriation are provided solely for the reappropriation of unspent

1 funds on the new tolling back office system from the 2021-2023 fiscal
2 biennium.

3 (4) The department shall make detailed annual reports to the
4 transportation committees of the legislature and the public on the
5 department's website in a manner consistent with past practices as
6 specified in section 209(5), chapter 186, Laws of 2022.

7 (5) As part of the department's 2025-2027 biennial budget
8 request, the department shall update the cost allocation
9 recommendations that assign appropriate costs to each of the toll
10 funds for services provided by relevant Washington state department
11 of transportation programs, the Washington state patrol, and the
12 transportation commission. The recommendations shall be based on
13 updated traffic and toll transaction patterns and other relevant
14 factors.

15 (6) Up to \$16,460,000 of the amounts provided for operations and
16 maintenance expenses on the state route number 520 facility from the
17 state route number 520 corridor account during the 2023-2025 fiscal
18 biennium in this act are derived from the receipt of federal American
19 rescue plan act of 2021 funds and not toll revenues.

20 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
21 **INFORMATION TECHNOLOGY—PROGRAM C**

22	Transportation Partnership Account—State	
23	Appropriation.	\$1,494,000
24	Motor Vehicle Account—State Appropriation.	\$122,240,000
25	Puget Sound Ferry Operations Account—State	
26	Appropriation.	\$307,000
27	Multimodal Transportation Account—State	
28	Appropriation.	\$2,986,000
29	Transportation 2003 Account (Nickel Account)—State	
30	Appropriation.	\$1,488,000
31	TOTAL APPROPRIATION.	\$128,515,000

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

34 (1) \$2,006,000 of the motor vehicle account—state appropriation
35 is provided solely for hardware cost increases. Before any hardware
36 replacement, the department, in consultation with WaTech, must
37 further review leasing options.

(2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

***NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—
FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—
OPERATING**

Motor Vehicle Account—State Appropriation.	\$39,987,000
Move Ahead WA Account—State Appropriation.	\$2,532,000
State Route Number 520 Corridor Account—State Appropriation.	\$34,000
TOTAL APPROPRIATION.	\$42,553,000

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

(1) The appropriations in this section provide sufficient funding for the department assuming vacancy savings which may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(2) (a) (i) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

(A) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

1 (B) Detailed information on any increased capital and other
2 implementation costs under each scenario;

3 (C) Detailed information on reduced costs, such as leases,
4 facility maintenance, and utilities, under each scenario;

5 (D) An analysis of opportunities to collocate with other state,
6 local, and other public agencies to reduce costs and improve cost-
7 efficiency while meeting utilization standards; and

8 (E) An assessment of the commercial value and return to the state
9 transportation funds associated with the sale of the property from
10 consolidation and other space efficiency measures.

11 (ii) The department must submit the implementation plan and final
12 report from the detailed space study to the office of financial
13 management and the transportation committees of the legislature by
14 October 1, 2024.

15 (b)(i) Conducting the detailed space study under (a) of this
16 subsection must not prevent or delay the department from meeting
17 other space use and related requirements, or where warranted by
18 current information or opportunities.

19 (ii) In addition to the reporting requirement under (a) of this
20 subsection, the department must provide information to the office of
21 financial management in its comparative analysis of office space,
22 leases, and relocation costs required by the omnibus operating
23 appropriations act.

**Sec. 211 was partially vetoed. See message at end of chapter.*

24 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—**
25 **TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

26	Move Ahead WA Account—State Appropriation.	\$20,000,000
27	Multimodal Transportation Account—State	
28	Appropriation.	\$433,000
29	TOTAL APPROPRIATION.	\$20,433,000

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

32 (1) The entire move ahead WA account—state appropriation is
33 provided solely for the department's costs related to replacing
34 obsolete transportation equipment and replacing fuel sites. Beginning
35 December 1, 2024, and annually thereafter, the department must
36 provide a report to the office of financial management and the
37 transportation committees of the legislature detailing the current

1 progress on replacing obsolete equipment, progress towards reaching a
2 level purchasing state, and the status of a fuel site replacement
3 prioritization plan. The report must also include:

4 (a) A list of department owned and managed fuel sites prioritized
5 by urgency of replacement;

6 (b) A discussion of department practices that would create a
7 sustained revenue source for capital repair and replacement of fuel
8 sites; and

9 (c) A discussion of to what extent the fuel site infrastructure
10 can support zero emissions vehicles.

11 (2)(a) \$100,000 of the multimodal transportation account—state
12 appropriation is provided solely for the department to administer a
13 pilot program to install and test intelligent speed monitoring
14 technology in a portion of the department's fleet of vehicles while
15 using global positioning system technology and other mapping tools to
16 monitor vehicle location and corresponding speed limits on traveled
17 roadways.

18 (b) The pilot program must begin by January 1, 2024, for a 12-
19 month period. By June 30, 2025, the department must report to the
20 transportation committees of the legislature the results of the pilot
21 program and provide any legislative or policy recommendations.

22 *NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—**
23 **AVIATION—PROGRAM F**

24	Aeronautics Account—State Appropriation.	\$13,979,000
25	Aeronautics Account—Federal Appropriation.	\$3,650,000
26	Aeronautics Account—Private/Local Appropriation.	\$60,000
27	TOTAL APPROPRIATION.	\$17,689,000

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

30 (1) \$2,000,000 of the aeronautics account—state appropriation is
31 provided solely for the move ahead WA aviation grants. The department
32 shall prioritize projects eligible for federal funding.

33 (2) \$1,476,000 of the aeronautics account—state appropriation is
34 provided solely for sustainable aviation grants recommended by the
35 department under the sustainable aviation grants program. The
36 department shall submit a report to the transportation committees of
37 the legislature by October 1, 2024, identifying a selection of
38 sustainable aviation projects for funding by the legislature. In

1 considering projects to recommend to fund, the department shall only
2 consider projects that advance the state of sustainable aviation
3 technology and lead to future innovation. Innovative sustainable
4 aviation projects may include, but are not limited to, pilot projects
5 demonstrating the use of:

- 6 (a) Mobile battery charging technology;
- 7 (b) Hydrogen electrolyzers and storage;
- 8 (c) Electric ground equipment; and
- 9 (d) Hanger charging technology.

10 (3) \$300,000 of the aeronautics account—state appropriation is
11 provided solely for the department to develop a statewide advanced
12 air mobility aircraft plan to develop and integrate advanced air
13 mobility aircraft into current modal systems. The department shall
14 submit a report by June 1, 2025, to the office of financial
15 management and the transportation committees of the legislature
16 including, but not limited to:

17 (a) Near, medium, and long-term recommendations for land use
18 planning for advanced and urban air mobility vertiports and
19 vertistops;

20 (b) An inventory of infrastructure needs to support a statewide
21 vertiport network and a recommended program to deploy funds to local
22 governments to share costs;

23 (c) Proposed state governance structures and regulatory
24 mechanisms to adequately complement federal aviation administration
25 oversight;

26 (d) Recommended policies to foster vertiport and vertistop
27 infrastructure development that ensure open public access, efficiency
28 in land use siting, and equitable distribution across the state; and

29 (e) In consultation with local jurisdictions, planning
30 organizations, and other modal managers, recommendations on advanced
31 air mobility aircraft integration into statewide transportation
32 plans.

33 (4) \$1,931,000 of the aeronautics account—state appropriation is
34 provided solely for the implementation of chapter . . . (Engrossed
35 Substitute House Bill No. 1791), Laws of 2023 (commercial aviation
36 services). If chapter . . . (Engrossed Substitute House Bill No.
37 1791), Laws of 2023 is not enacted by June 30, 2023, the amount in
38 this subsection lapses.

1 (5) \$100,000 of the aeronautics account—state appropriation is
2 provided solely for the department, and where appropriate in
3 conjunction with the state commercial aviation work group, to
4 evaluate various operational and technological enhancements
5 addressing the environmental impacts from commercial aviation
6 activities. The enhancements may include, but are not limited to: (a)
7 Climate-friendly routing of aircraft; (b) innovations addressing the
8 climate change effects of noncarbon dioxide emissions from aviation
9 activities; (c) simulation models applied to congested airports; and
10 (d) online tools to track, analyze, and improve carbon footprints
11 related to aviation activities. A report of findings is due to the
12 governor and the transportation committees of the legislature by June
13 30, 2025.

*Sec. 213 was partially vetoed. See message at end of chapter.

14 *NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—
15 PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

16	Motor Vehicle Account—State Appropriation.	\$64,470,000
17	Motor Vehicle Account—Federal Appropriation.	\$500,000
18	Multimodal Transportation Account—State	
19	Appropriation.	\$851,000
20	Move Ahead WA Flexible Account—State Appropriation.	\$572,000
21	TOTAL APPROPRIATION.	\$66,393,000

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

24 (1) During the 2023-2025 fiscal biennium, if the department takes
25 possession of the property situated in the city of Edmonds for which
26 a purchase agreement was executed between Unocal and the department
27 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
28 confirms that the property is still no longer needed for
29 transportation purposes, the department shall provide the city of
30 Edmonds with the first right of purchase at fair market value in
31 accordance with RCW 47.12.063(3) for the city's intended use of the
32 property to rehabilitate near-shore habitat for salmon and related
33 species.

34 (2) \$469,000 of the motor vehicle account—state appropriation is
35 reappropriated and provided solely for the implementation of chapter
36 217, Laws of 2021 (noxious weeds).

1 (3) The department shall determine the fair market value of the
2 northern parcel of site 14 on the Puget Sound Gateway Program SR 509
3 Completion Project Surplus Property list, located immediately south
4 of S. 216th Street and adjacent to the Barnes Creek Nature Trail in
5 Des Moines, to be submitted to the transportation committees of the
6 legislature by December 15, 2023, for an evaluation of possible next
7 steps for use of the property that is in the public interest.

8 (4) The appropriations in this section provide sufficient funding
9 for the department assuming vacancy savings that may change over
10 time. Funding for staffing will be monitored and adjusted in the 2024
11 supplemental transportation appropriations act to restore funding as
12 authorized staffing levels are achieved.

13 (5) (a) \$572,000 of the move ahead WA flexible account—state
14 appropriation is provided solely to track and maximize clean fuels
15 credits and revenue generated by state agencies pursuant to chapter
16 70A.535 RCW.

17 (b) The LEAP Transportation Document 2023-2 ALL PROJECTS as
18 developed April 21, 2023, anticipates fulfillment of the requirements
19 under chapter 70A.535 RCW of generating credits and revenue for
20 transportation investments funded in an omnibus transportation
21 appropriations act, including the move ahead WA transportation
22 package. The omnibus transportation appropriations act anticipates
23 credits for ferry electrification for new hybrid electric vessels,
24 active transportation, transit programs and projects, alternative
25 fuel infrastructure, connecting communities, and multimodal
26 investments.

27 (c) Pursuant to the reporting requirements of RCW 70A.535.050(5),
28 the department must present a detailed projection of the credit
29 revenues generated and achieved directly as a result of the funding
30 and activities in this subsection.

31 (6) \$93,000 of the multimodal transportation account—state
32 appropriation is provided solely for the implementation of
33 chapter . . . (Engrossed Second Substitute House Bill No. 1170), Laws
34 of 2023 (climate resilience strategy). If chapter . . . (Engrossed
35 Second Substitute House Bill No. 1170), Laws of 2023 is not enacted
36 by June 30, 2023, the amount provided in this subsection lapses.

37 **(7) \$1,600,000 of the motor vehicle account—state appropriation**
38 **is provided solely for real estate services activities. The**
39 **legislature finds that the section of public roadway owned by the**

1 department that is located south of state route number 532 and west
2 of Interstate 5 in the vicinity of the intersection of state route
3 number 532 and 19th Avenue NW is no longer necessary for the state
4 highway system. Therefore, pursuant to RCW 36.75.090, the department
5 shall certify that the roadway is no longer needed by the state and
6 convey the roadway to the county for continued use as a public
7 highway for motor vehicle use. In consideration of the value of
8 maintenance services provided by the county on the roadway during the
9 time of department ownership, the department shall also convey to the
10 county any access rights owned by the department limiting access to
11 state route number 532 from 19th Avenue NW.

*Sec. 214 was partially vetoed. See message at end of chapter.

12 *NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—
13 PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

14	Motor Vehicle Account—State Appropriation.	\$694,000
15	Electric Vehicle Account—State Appropriation.	\$4,746,000
16	Multimodal Transportation Account—State	
17	Appropriation.	\$4,400,000
18	Multimodal Transportation Account—Federal	
19	Appropriation.	\$25,000,000
20	Carbon Emissions Reduction Account—State	
21	Appropriation.	\$164,600,000
22	TOTAL APPROPRIATION.	\$199,440,000

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

25 (1) \$3,746,000 of the electric vehicle account—state
26 appropriation and \$30,000,000 of the carbon reduction emissions
27 account—state appropriation are provided solely for the clean
28 alternative fuel vehicle charging and refueling infrastructure
29 program in chapter 287, Laws of 2019 (advancing green transportation
30 adoption).

31 (2) \$1,000,000 of the electric vehicle account—state
32 appropriation and \$500,000 of the multimodal transportation account—
33 state appropriation are provided solely for a colocated DC fast
34 charging and hydrogen fueling station near the Wenatchee or East
35 Wenatchee area near a state route or near or on a publicly owned
36 facility to service passenger, light-duty and heavy-duty vehicles.
37 The hydrogen fueling station must include a DC fast charging station

1 collocated at the hydrogen fueling station site. Funds may be used for
2 one or more fuel cell electric vehicles that would utilize the
3 fueling stations. The department must contract with a public utility
4 district that produces hydrogen in the area to own and/or manage and
5 provide technical assistance for the design, planning, permitting,
6 construction, maintenance and operation of the hydrogen fueling
7 station. The department and public utility district are encouraged to
8 collaborate with and seek contributions from additional public and
9 private partners for the fueling station.

10 ***(3) The appropriations in this section provide sufficient funding***
11 ***for the department assuming vacancy savings that may change over***
12 ***time. Funding for staffing will be monitored and adjusted in the 2024***
13 ***supplemental transportation appropriations act to restore funding as***
14 ***authorized staffing levels are achieved.***

15 ***(4) The legislature recognizes that for the state to meet long-***
16 ***term zero emissions goals requires consumers have options when***
17 ***investing in different vehicle technologies, including battery***
18 ***electric vehicles and fuel cell electric vehicles. Therefore, it is***
19 ***the intent of the legislature to appropriate multimodal***
20 ***transportation account funds not to exceed \$30,000,000 over the next***
21 ***three biennia as a state match for secured federal funds to finance***
22 ***hydrogen fueling stations in disadvantaged and overburdened***
23 ***communities for both passenger and light-truck vehicles and medium to***
24 ***heavy-duty vehicles. The department, in consultation with the***
25 ***interagency electric vehicle coordinating council, must pursue any***
26 ***federal funding available through the charging and fueling***
27 ***infrastructure discretionary grant program and any other sources***
28 ***under the federal infrastructure investment and jobs act (P.L.***
29 ***117-58).***

30 (5) The public-private partnerships program must continue to
31 explore retail partnerships at state-owned park and ride facilities,
32 as authorized in RCW 47.04.295.

33 (6) \$1,200,000 of the multimodal transportation account—state
34 appropriation and \$2,000,000 of the carbon reduction emissions
35 account—state appropriation are provided solely for the pilot program
36 established under chapter 287, Laws of 2019 (advancing green
37 transportation adoption) to provide clean alternative fuel vehicle
38 use opportunities to underserved communities and low to moderate
39 income members of the workforce not readily served by transit or
40 located in transportation corridors with emissions that exceed

1 federal or state emissions standards. Consistent with the
2 geographical diversity element described in RCW 47.04.355(4), the
3 legislature strongly encourages the department to consider
4 implementing the pilot in both urban and rural communities if
5 possible, to obtain valuable information on the needs of underserved
6 communities located in different geographical locations in
7 Washington.

8 (7) \$120,000,000 of the carbon emissions reduction account—state
9 appropriation is provided solely for implementation of zero-emission
10 commercial vehicle infrastructure and incentive programs and for the
11 replacement of school buses powered by fossil fuels with zero-
12 emission school buses, including the purchase and installation of
13 zero-emission school bus refueling infrastructure.

14 (a) Of this amount, \$20,000,000 is for the department to
15 administer an early action grant program to provide expedited funding
16 to zero-emission commercial vehicle infrastructure demonstration
17 projects. The department must contract with a third-party
18 administrator to implement the early action grant program.

19 (b) The office of financial management shall place the remaining
20 \$100,000,000 in unallotted status until the joint transportation
21 committee completes the medium and heavy duty vehicle infrastructure
22 and incentive strategy required under section 204 of this act. The
23 director of the office of financial management or the director's
24 designee shall consult with the chairs and ranking members of the
25 transportation committees of the legislature prior to making a
26 decision to allot these funds.

27 (8) \$3,000,000 of the carbon emissions reduction account—state
28 appropriation is provided solely for hydrogen refueling
29 infrastructure investments. The office of financial management shall
30 place the amounts provided in this subsection in unallotted status
31 until the joint transportation committee completes the medium and
32 heavy duty vehicle infrastructure and incentive strategy required
33 under section 204 of this act. The director of the office of
34 financial management or the director's designee shall consult with
35 the chairs and ranking members of the transportation committees of
36 the legislature prior to making a decision to allot these funds.

37 (9) \$2,100,000 of the carbon emissions reduction account—state
38 appropriation is provided solely to fund electric vehicle charging

1 infrastructure for the electric charging megasite project at Mount
2 Vernon library commons.

3 (10) \$2,500,000 of the carbon emissions reduction account—state
4 appropriation is provided solely for zero emission cargo handling
5 equipment incentives. The office of financial management shall place
6 the amounts provided in this subsection in unallotted status until
7 the joint transportation committee completes the medium and heavy
8 duty vehicle and cargo handling and off-road equipment infrastructure
9 and incentive strategy required under section 204 of this act. The
10 director of the office of financial management or the director's
11 designee shall consult with the chairs and ranking members of the
12 transportation committees of the legislature prior to making a
13 decision to allot these funds.

14 (11) \$5,000,000 of the carbon emissions reduction account—state
15 appropriation is provided solely for clean off-road equipment
16 incentives. The office of financial management shall place the
17 amounts provided in this subsection in unallotted status until the
18 joint transportation committee completes the medium and heavy duty
19 vehicle and cargo handling and off-road equipment infrastructure and
20 incentive strategy required under section 204 of this act. The
21 director of the office of financial management or the director's
22 designee shall consult with the chairs and ranking members of the
23 transportation committees of the legislature prior to making a
24 decision to allot these funds.

25 (12) \$2,500,000 of the multimodal transportation account—state
26 appropriation is provided solely for the department to coordinate
27 with cities, counties, ports, and private entities to develop
28 actionable recommendations for state assistance in the development of
29 specific candidate truck parking sites to be developed with
30 amenities, identified by location. The department shall identify
31 private land parcels for potential development of sites, which may
32 include, but should not be limited to, a feasibility analysis of
33 sites adjacent to Interstate 90 near North Bend for a 400 to 600
34 space truck parking site. The public benefit of each potential truck
35 parking site must be included in this assessment. The department
36 shall consider opportunities for the state to provide assistance in
37 the development of truck parking sites, including possible
38 opportunities to provide assistance in land acquisition and
39 evaluating land use requirements. The department must update the

1 transportation committees of the legislature on agency activities and
2 their status by December 1, 2023, and to provide a final report to
3 the transportation committees of the legislature by December 1, 2024.

**Sec. 215 was partially vetoed. See message at end of chapter.*

4 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—**

5 **HIGHWAY MAINTENANCE—PROGRAM M**

6	Motor Vehicle Account—State Appropriation.	\$535,033,000
7	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
8	Move Ahead WA Account—State Appropriation.	\$50,000,000
9	State Route Number 520 Corridor Account—State	
10	Appropriation.	\$4,838,000
11	Tacoma Narrows Toll Bridge Account—State	
12	Appropriation.	\$1,585,000
13	Alaskan Way Viaduct Replacement Project Account—	
14	State Appropriation.	\$8,752,000
15	Interstate 405 and State Route Number 167 Express	
16	Toll Lanes Account—State Appropriation.	\$2,624,000
17	TOTAL APPROPRIATION.	\$609,832,000

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

20 (1) \$5,000,000 of the motor vehicle account—state appropriation
21 is provided solely for a contingency pool for snow and ice removal.
22 The department must notify the office of financial management and the
23 transportation committees of the legislature when they have spent the
24 base budget for snow and ice removal and will begin using the
25 contingency pool funding.

26 (2) (a) \$115,000 of the state route number 520 corridor account—
27 state appropriation is provided solely for the department to enter
28 into a dispute resolution process with local jurisdictions to produce
29 interagency agreements to address the ongoing facility and landscape
30 maintenance of the three state route number 520 eastside lids and
31 surrounding areas at the Evergreen Point Road, 84th Avenue NE, and
32 92nd Avenue NE.

33 (b) The agreements pursuant to (a) of this subsection must be
34 executed by June 30, 2024.

35 (3) The appropriations in this section provide sufficient funding
36 for the department assuming vacancy savings that may change over
37 time. Funding for staffing will be monitored and adjusted in the 2024

1 supplemental transportation appropriations act to restore funding as
2 authorized staffing levels are achieved.

3 (4) (a) \$7,000,000 of the motor vehicle account—state
4 appropriation is provided solely for the department to address the
5 risks to safety and public health associated with homeless
6 encampments on department owned rights-of-way. The department must
7 coordinate and work with local government officials and social
8 service organizations who provide services and direct people to
9 housing alternatives that are not in highway rights-of-way to help
10 prevent future encampments from forming on highway rights-of-way and
11 may reimburse the organizations doing this outreach assistance who
12 transition people into treatment or housing or for debris clean up on
13 highway rights-of-way. A minimum of \$2,000,000 of this appropriation
14 must be used to deliver more frequent removal of litter on the
15 highway rights-of-way that is generated by unsheltered people and may
16 be used to hire crews specializing in collecting and disposing of
17 garbage, clearing debris or hazardous material, and implementing
18 safety improvements where hazards exist to the traveling public and
19 department employees. The department may use these funds to either
20 reimburse local law enforcement costs or the Washington state patrol
21 if they are providing enhanced safety to department staff during
22 debris cleanup or during efforts to prevent future encampments from
23 forming on highway rights-of-way.

24 (b) Beginning November 1, 2023, and semiannually thereafter, the
25 Washington state patrol and the department of transportation must
26 jointly submit a report to the governor and the transportation
27 committees of the legislature on the status of these efforts,
28 including:

29 (i) A summary of the activities related to addressing
30 encampments, including information on arrangements with local
31 governments or other entities related to these activities;

32 (ii) A description of the planned activities in the ensuing two
33 quarters to further address the emergency hazards and risks along
34 state highway rights-of-way; and

35 (iii) Recommendations for executive branch or legislative action
36 to achieve the desired outcome of reduced emergency hazards and risks
37 along state highway rights-of-way.

38 (5) \$1,000,000 of the motor vehicle account—state appropriation
39 is provided solely for a partnership program between the department
40 and the city of Spokane, to be administered in conjunction with

1 subsection (4) of this section. The program must address the safety
2 and public health problems created by homeless encampments on the
3 department's property along state highways within the city limits.
4 \$555,000 of the motor vehicle account—state appropriation is for
5 dedicated department maintenance staff and associated clean-up costs.
6 The department and the city of Spokane shall enter into a
7 reimbursable agreement to cover up to \$445,000 of the city's expenses
8 for clean-up crews and landfill costs.

9 (6) \$1,025,000 of the motor vehicle account—state appropriation
10 is provided solely for the department to implement safety
11 improvements and debris clean up on department-owned rights-of-way in
12 the city of Seattle at levels above that being implemented as of
13 January 1, 2019, to be administered in conjunction with subsection
14 (4) of this section. The department must maintain a crew dedicated
15 solely to collecting and disposing of garbage, clearing debris or
16 hazardous material, and implementing safety improvements where
17 hazards exist to the traveling public, department employees, or
18 people encamped upon department-owned rights-of-way. The department
19 may request assistance from the Washington state patrol as necessary
20 in order for both agencies to provide enhanced safety-related
21 activities regarding the emergency hazards along state highway
22 rights-of-way in the Seattle area.

23 (7) \$1,015,000 of the motor vehicle account—state appropriation
24 is provided solely for a partnership program between the department
25 and the city of Tacoma, to be administered in conjunction with
26 subsection (4) of this section. The program must address the safety
27 and public health problems created by homeless encampments on the
28 department's property along state highways within the city limits.
29 \$570,000 of the motor vehicle account—state appropriation is for
30 dedicated department maintenance staff and associated clean-up costs.
31 The department and the city of Tacoma shall enter into a reimbursable
32 agreement to cover up to \$445,000 of the city's expenses for clean-up
33 crews and landfill costs.

34 (8) \$1,500,000 of the motor vehicle account—state appropriation
35 is provided solely for the department to contract with the city of
36 Fife to address the risks to safety and public health associated with
37 homeless encampments on department-owned rights-of-way along the SR
38 167/SR 509 Puget Sound Gateway project corridor in and adjacent to
39 the city limits pursuant to section 216(10), chapter 186, Laws of

1 2022. However, the amount provided in this subsection must be placed
 2 in unallotted status and may not be spent prior to November 1, 2023.
 3 If, after November 1, 2023, the department, in consultation with the
 4 office of financial management, determines that the department fully
 5 spent the \$2,000,000 appropriated in section 216(10), chapter 186,
 6 Laws of 2022, within the 2021-2023 fiscal biennium for this purpose,
 7 the amount provided in this subsection must remain in unallotted
 8 status and unspent. If the department did not fully spend the
 9 \$2,000,000 within the 2021-2023 fiscal biennium, the department may
 10 only spend from the appropriation in this subsection an amount not in
 11 excess of the amount unspent from the \$2,000,000 within the 2021-2023
 12 fiscal biennium, with any remaining amount to remain in unallotted
 13 status and unspent. In no event may the department spend more than
 14 \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this
 15 purpose.

16 *NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—**
 17 **TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING**

18	Highway Safety Fund—State Appropriation.	\$3,529,000
19	Motor Vehicle Account—State Appropriation.	\$85,466,000
20	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
21	Motor Vehicle Account—Private/Local Appropriation.	\$294,000
22	Move Ahead WA Account—State Appropriation.	\$3,090,000
23	Multimodal Transportation Account—State	
24	Appropriation.	\$5,000,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation.	\$247,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation.	\$44,000
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	\$1,122,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$37,000
33	TOTAL APPROPRIATION.	\$100,879,000

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

- 36 (1) \$6,000,000 of the motor vehicle account—state appropriation
 37 is provided solely for low-cost enhancements. The department shall
 38 give priority to low-cost enhancement projects that improve safety or

1 provide congestion relief. By December 15th of each odd-numbered
2 year, the department shall provide a report to the legislature
3 listing all low-cost enhancement projects completed in the prior
4 fiscal biennium.

5 (2) (a) During the 2023-2025 fiscal biennium, the department shall
6 continue a pilot program that expands private transportation
7 providers' access to high occupancy vehicle lanes. Under the pilot
8 program, when the department reserves a portion of a highway based on
9 the number of passengers in a vehicle, the following vehicles must be
10 authorized to use the reserved portion of the highway if the vehicle
11 has the capacity to carry eight or more passengers, regardless of the
12 number of passengers in the vehicle: (i) Auto transportation company
13 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
14 carrier vehicles regulated under chapter 81.70 RCW, except marked or
15 unmarked stretch limousines and stretch sport utility vehicles as
16 defined under department of licensing rules; (iii) private nonprofit
17 transportation provider vehicles regulated under chapter 81.66 RCW;
18 and (iv) private employer transportation service vehicles. For
19 purposes of this subsection, "private employer transportation
20 service" means regularly scheduled, fixed-route transportation
21 service that is offered by an employer for the benefit of its
22 employees. Nothing in this subsection is intended to authorize the
23 conversion of public infrastructure to private, for-profit purposes
24 or to otherwise create an entitlement or other claim by private users
25 to public infrastructure.

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

36 (c) The department shall expand the high occupancy vehicle lane
37 access pilot program to for hire nonemergency medical transportation
38 vehicles, when in use for medical purposes, as described in section
39 208(24) of this act. Under the pilot program, when the department
40 reserves a portion of a highway based on the number of passengers in

1 a vehicle, nonemergency medical transportation vehicles that meet the
2 requirements identified in section 208(24) of this act must be
3 authorized to use the reserved portion of the highway.

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

7 (3) The appropriations in this section assume implementation of
8 additional cost recovery mechanisms to recoup at least \$100,000 in
9 credit card and other financial transaction costs related to the
10 collection of fees imposed under RCW 46.17.400, 46.44.090, and
11 46.44.0941 for driver and vehicle fee transactions beginning January
12 1, 2023. The department may recover transaction fees incurred through
13 credit card transactions.

14 (4) The department shall promote safety messages encouraging
15 drivers to slow down and move over and pay attention when emergency
16 lights are flashing on the side of the road and other suitable safety
17 messages on electronic message boards the department operates across
18 the state. The messages must be promoted through June 30, 2025. The
19 department may coordinate such messaging with any statewide public
20 awareness campaigns being developed by the department of licensing or
21 the Washington state traffic safety commission, or both.

22 (5) \$5,000,000 of the multimodal transportation account—state
23 appropriation is provided solely for the department to address
24 emergent issues related to safety for pedestrians and bicyclists.
25 Funds may only be spent after approval from the office of financial
26 management. By December 15th of each odd-numbered year, the
27 department shall provide a report to the legislature listing all
28 emergent issues addressed in the prior fiscal biennium.

29 ***(6) The appropriations in this section provide sufficient funding***
30 ***for the department assuming vacancy savings that may change over***
31 ***time. Funding for staffing will be monitored and adjusted in the 2024***
32 ***supplemental transportation appropriations act to restore funding as***
33 ***authorized staffing levels are achieved.***

34 (7) \$3,529,000 of the highway safety account—state appropriation
35 is provided solely for implementation of chapter . . . (Engrossed
36 Substitute Senate Bill No. 5272), Laws of 2023 (speed safety
37 cameras). If chapter . . . (Engrossed Substitute Senate Bill No.
38 5272), Laws of 2023 is not enacted by June 30, 2023, the amount
39 provided in this subsection lapses.

1 (8) \$1,279,000 of the move ahead WA account—state appropriation
2 is provided solely for maintenance and operations of the virtual
3 coordination center. The department is encouraged to apply for
4 federal grant funds for the virtual coordination center and may use
5 state funds as a match. By December 1, 2023, the department shall
6 report to the transportation committees of the legislature: (a)
7 Recommendations to expand the center's operations, including specific
8 additional jurisdictions and corridors across the state; and (b)
9 amounts received and dates of receipt of any new cash and in-kind
10 matches from virtual coordination center partners including, but not
11 limited to, the city of Seattle, King county, other state and local
12 jurisdictions, and private sector partners.

13 (9) \$100,000 of the motor vehicle account—state appropriation is
14 provided solely for the department to prepare and submit a report to
15 the transportation committees of the legislature by December 1, 2024,
16 with a prioritized list of recommendations for improving safety and
17 mobility on Interstate 90 between North Bend and Cle Elum during
18 winter weather events, including estimated costs. The recommendations
19 must include, but are not limited to, options to improve compliance
20 with traction tire and chain requirements and reduce snow-related
21 closures.

22 **(10) (a) The department shall establish the weigh station**
23 **preclearance program in accordance with the commercial vehicle**
24 **information systems and networks electronic screening truck**
25 **inspection and weigh station preclearance standards authorized by the**
26 **federal motor carrier safety administration. The program must include**
27 **preclearance systems providers that meet the following criteria:**

28 **(i) The preclearance system commercial mobile radio services and**
29 **dedicated short-range communication devices as transponders**
30 **technologies must be represented in the program.**

31 **(ii) The preclearance system must be broadly deployed across the**
32 **state for interstate operability purposes on the effective date of**
33 **this section.**

34 **(b) Computer software and hardware, including any infrastructure-**
35 **based devices or technologies, that is necessary to implement this**
36 **section and must be made available at no cost to the Washington state**
37 **patrol. The preclearance system provider is responsible for all costs**
38 **of operating and maintaining the computer software and hardware. The**
39 **computer software and hardware must meet all of the following**
40 **criteria:**

1 (i) *The computer software and hardware must meet the requirements*
2 *of the federal motor carrier safety administration for core*
3 *compliance with the commercial vehicle information systems and*
4 *networks electronic screening truck inspection and weigh station*
5 *preclearance standards.*

6 (ii) *In-vehicle equipment must be operated in compliance with*
7 *applicable state law and regulations.*

8 (iii) *Preclearance messaging must be transmitted and received by*
9 *the driver through electronic messaging within the cab of the*
10 *commercial motor vehicle.*

11 (iv) *If required for preclearance services, real-time data from*
12 *weigh-in-motion systems or any other systems shall be made available*
13 *to preclearance system providers.*

14 (c) *The department, in consultation with the Washington state*
15 *patrol, shall establish standards for the program in order to meet*
16 *the needs of this state and conform with weigh station preclearance*
17 *programs in other states, including standards regarding safety*
18 *history credential status.*

19 (11) (a) \$5,000,000 of the motor vehicle account—state
20 appropriation is provided solely for the department, in coordination
21 with the independent review team of the joint transportation
22 committee, to conduct an analysis of highway, road, and freight rail
23 transportation needs, options, and impacts from shifting the movement
24 of freight and goods that currently move by barge through the lower
25 Snake river dams to highways, other roads, and rail. The study should
26 generate volume estimates and evaluate scenarios for changes in
27 infrastructure and operations that would be necessary to address
28 those additional volumes. The assessment must include quantitative
29 analysis based on available data in terms of both financial and
30 carbon emission costs; and qualitative input gathered from tribal
31 governments, local governments, freight interests, and other key
32 stakeholders, including impacts on disadvantaged/underserved
33 communities. The analysis must include a robust public engagement
34 process to solicit feedback from interested stakeholders including
35 but not limited to: Residents and officials in affected cities and
36 counties; stakeholders involved in railroad, agriculture, fishing,
37 trucking, shipping and other related industries; appropriate Native
38 American tribes; representatives of advocacy and community
39 organizations; and transportation, public works, and economic
40 development organizations in the affected areas, federal highway

1 administration and army corps of engineers. The analysis must be
2 informed by the work of the joint transportation committee's
3 independent review team, and must include the following:

4 (i) Existing volumes and traffic patterns;

5 (ii) Potential changes in volumes and traffic patterns
6 immediately following the loss of freight movement by barge and over
7 the following 20 years, including the carbon emissions impact of this
8 mode shift;

9 (iii) Identification of whether regional geography, land
10 availability, and state and federal regulatory processes would allow
11 for rail and road expansions and increased capacity;

12 (iv) Identification of potential infrastructure and operational
13 improvements to existing highways, other roads, and rail, including
14 additional access to facilities, needed to accommodate the higher
15 freight volumes and impacts and potential opportunities to mitigate
16 impacts on shipping rates;

17 (v) Identification of rail line development options, including
18 impacts and potential opportunities to mitigate impacts on grain
19 storage and handling facilities at regional unit train yards and port
20 export facilities;

21 (vi) An assessment of costs associated with mitigating potential
22 slope failure and stabilization necessitated by the drawdown of the
23 river. An assessment of impacts and potential opportunities to
24 mitigate impacts on adjacent roads, bridges, railroads, and utility
25 corridors shall be included;

26 (vii) Both financial and carbon cost estimates for development
27 and implementation of identified needs and options, including
28 planning, design, and construction;

29 (viii) Analysis of the impacts and potential opportunities to
30 mitigate impacts of these infrastructure changes on environmental
31 justice and disadvantaged/underserved communities during
32 construction, as well as from future operations;

33 (ix) Analysis of safety impacts and potential opportunities to
34 mitigate impacts for a shift from barge transportation to rail or
35 truck, including increases in rural community traffic and consistency
36 with the Washington State Strategic Highway Safety Plan: Target Zero;

37 (x) Impacts and potential opportunities to mitigate impacts on
38 highly affected commodities, including agriculture, petroleum,
39 project cargo, and wind energy components;

1 (xi) Analysis of the impacts and potential opportunities to
2 mitigate impacts that reduced competition resulting from removing
3 barging of agricultural products on the Snake river would have on
4 Washington's agricultural industry along with impacts modal shifts
5 would have on the entire supply chain, including export facilities
6 and ports on the Lower Columbia River; and

7 (xii) Determination of the feasibility that additional east-west
8 freight rail capacity can be achieved, particularly through Columbia
9 River Gorge, and the alternative routes that exist in the event that
10 adding more infrastructure on these routes is not feasible.

11 (b) The department shall provide status updates on a quarterly
12 basis in coordination with the joint transportation committee. The
13 legislature intends to require a final report to the governor and the
14 transportation committees of the legislature by December 31, 2026.

**Sec. 217 was partially vetoed. See message at end of chapter.*

15 *NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—**
16 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

17	Motor Vehicle Account—State Appropriation.	\$62,639,000
18	Motor Vehicle Account—Federal Appropriation.	\$780,000
19	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
20	Move Ahead WA Flexible Account—State Appropriation.	\$5,400,000
21	Puget Sound Ferry Operations Account—State	
22	Appropriation.	\$510,000
23	Multimodal Transportation Account—State	
24	Appropriation.	\$22,323,000
25	State Route Number 520 Corridor Account—State	
26	Appropriation.	\$220,000
27	Tacoma Narrows Toll Bridge Account—State	
28	Appropriation.	\$136,000
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	\$127,000
31	Interstate 405 and State Route Number 167 Express	
32	Toll Lanes Account—State Appropriation.	\$114,000
33	TOTAL APPROPRIATION.	\$92,749,000

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

36 (1) (a) \$2,000,000 of the motor vehicle account—state
37 appropriation and \$5,400,000 of the move ahead WA flexible account—

1 state appropriation are provided solely for efforts to increase
2 diversity in the transportation construction workforce through:

3 (i) The preapprenticeship support services (PASS) and career
4 opportunity maritime preapprenticeship support services (COMPASS)
5 programs, which aim to increase diversity in the highway construction
6 and maritime workforces and prepare individuals interested in
7 entering the highway construction and maritime workforces. In
8 addition to the services allowed under RCW 47.01.435, the PASS and
9 COMPASS programs may provide housing assistance for youth aging out
10 of the foster care and juvenile rehabilitation systems to support
11 their participation in a transportation-related preapprenticeship
12 program and support services to obtain necessary maritime documents
13 and coast guard certification; and

14 (ii) Assisting minority and women-owned businesses to perform
15 work in the highway construction industry.

16 (b) The department shall report annually to the transportation
17 committees of the legislature on efforts to increase diversity in the
18 transportation construction workforce.

19 (2) \$1,512,000 of the motor vehicle account—state appropriation
20 and \$488,000 of the Puget Sound ferry operations account—state
21 appropriation are provided solely for the department to develop,
22 track, and monitor the progress of community workforce agreements,
23 and to assist with the development and implementation of internal
24 diversity, equity, and inclusion efforts and serve as subject matter
25 experts on federal and state civil rights provisions. The department
26 shall engage with relevant stakeholders, and provide a progress
27 report on the implementation of efforts under this subsection to the
28 transportation committees of the legislature and the governor by
29 December 1, 2024.

30 (3) For Washington state department of transportation small works
31 roster projects under RCW 39.04.155, the department may only allow
32 firms certified as small business enterprises, under 49 C.F.R. 26.39,
33 to bid on the contract, unless the department determines there would
34 be insufficient bidders for a particular project. The department
35 shall report on the effectiveness of this policy to the
36 transportation committees of the legislature by December 1, 2024.

37 (4) \$21,195,000 of the motor vehicle account—state appropriation
38 and \$21,194,000 of the multimodal transportation account—state
39 appropriation are provided solely for the department to upgrade the

1 transportation reporting and accounting information system to the
2 current cloud version of the software, and is subject to the
3 conditions, limitations, and review requirements of section 701 of
4 this act.

5 **(5) The appropriations in this section provide sufficient funding**
6 **for the department assuming vacancy savings that may change over**
7 **time. Funding for staffing will be monitored and adjusted in the 2024**
8 **supplemental transportation appropriations act to restore funding as**
9 **authorized staffing levels are achieved.**

10 (6) \$56,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter . . . (Engrossed
12 Second Substitute House Bill No. 1216), Laws of 2023 (clean energy
13 siting). If chapter . . . (Engrossed Second Substitute House Bill No.
14 1216), Laws of 2023 is not enacted by June 30, 2023, the amount
15 provided in this subsection lapses.

***Sec. 218 was partially vetoed. See message at end of chapter.**

16 *NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

18 Carbon Emissions Reduction Account—State

19	Appropriation.	\$3,000,000
20	Motor Vehicle Account—State Appropriation.	\$32,089,000
21	Motor Vehicle Account—Federal Appropriation.	\$31,412,000
22	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
23	Move Ahead WA Flexible Account—State Appropriation.	\$11,922,000
24	Multimodal Transportation Account—State	
25	Appropriation.	\$2,414,000
26	Multimodal Transportation Account—Federal	
27	Appropriation.	\$2,809,000
28	Multimodal Transportation Account—Private/Local	
29	Appropriation.	\$100,000
30	TOTAL APPROPRIATION.	\$84,146,000

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

33 (1) \$750,000 of the multimodal transportation account—state
34 appropriation is provided solely for the department to partner with
35 the department of commerce and regional transportation planning
36 organizations in implementing vehicle miles traveled targets and
37 supporting actions. As part of target setting, important factors that

1 must be considered include land use patterns, safety, and vulnerable
2 populations. The department shall provide an interim report by June
3 30, 2024, and a final report by June 30, 2025.

4 ***(2) The appropriations in this section provide sufficient funding***
5 ***for the department assuming vacancy savings that may change over***
6 ***time. Funding for staffing will be monitored and adjusted in the 2024***
7 ***supplemental transportation appropriations act to restore funding as***
8 ***authorized staffing levels are achieved.***

9 (3) \$150,000 of the motor vehicle account—state appropriation is
10 provided solely for the department to continue implementation of a
11 performance-based project evaluation model. The department must issue
12 a report by September 1, 2024.

13 (4) (a) \$180,000 of the multimodal transportation account—state
14 appropriation is provided solely for Thurston regional planning
15 council (TRPC) to conduct a study examining options for multimodal
16 high capacity transportation (HCT) to serve travelers on the
17 Interstate 5 corridor between central Thurston county (Olympia area)
18 and Pierce county.

19 (b) The study will include an assessment of travelsheds and
20 ridership potential and identify and provide an evaluation of options
21 to enhance connectivity and accessibility for the greater south Puget
22 Sound region with an emphasis on linking to planned or existing
23 commuter or regional light rail. The study must account for previous
24 and ongoing efforts by transit agencies and the department. The study
25 will emphasize collaboration with a diverse community of interests,
26 including but not limited to transit, business, public agencies,
27 tribes, and providers and users of transportation who because of age,
28 income, or ability may face barriers and challenges.

29 (c) The study is due to the governor and transportation
30 committees of the legislature by September 1, 2024.

31 (5) \$400,000 of the multimodal transportation account—state
32 appropriation is provided solely for the city of Seattle's office of
33 planning and community development to support an equitable
34 development initiative to reconnect the South Park neighborhood,
35 currently divided by state route number 99.

36 (a) The support work must include:

37 (i) A public engagement and visioning process led by a
38 neighborhood-based, community organization; and

1 (ii) A feasibility study of decommissioning state route number 99
2 in the South Park neighborhood to include, but not be limited to,
3 traffic studies, environmental impact analysis, and development of
4 alternatives, including the transfer of the land to a neighborhood-
5 led community land trust.

6 (b) The support work must be conducted in coordination and
7 partnership with neighborhood residents, neighborhood industrial and
8 commercial representatives, the state department of transportation,
9 and other entities and neighborhoods potentially impacted by changes
10 to the operation of state route number 99.

11 (c) The city must provide a report on the plan that includes
12 recommendations to the Seattle city council, state department of
13 transportation, and the transportation committees of the legislature
14 by December 1, 2024.

15 (6) \$2,557,000 of the motor vehicle account—state appropriation
16 is provided solely for the department to upgrade the department's
17 linear referencing system (LRS) and highway performance monitoring
18 system (HPMS), and is subject to the conditions, limitations, and
19 review requirements in section 701 of this act.

20 (7) \$306,000 of the multimodal transportation account—state
21 appropriation is provided solely for the department to appoint or
22 designate a liaison to serve as a point of contact and resource for
23 the department, local governments, and project proponents regarding
24 land use decisions and processing development permit applications.
25 The liaison must, as a priority, facilitate and expedite any
26 department decisions required for project approval.

27 (8) \$627,000 of the motor vehicle account—federal appropriation
28 is provided solely for remaining work on the "Forward Drive" road
29 usage charge research project overseen by the transportation
30 commission using the remaining amounts of the federal grant award.
31 The remaining work of this project includes:

32 (a) Analysis of road usage charge simulation and participant
33 surveys;

34 (b) Follow up on road usage charge experiences related to payment
35 installments, mileage exemptions, and vehicle-based mileage
36 reporting;

37 (c) Completion of technology research; and

38 (d) Development of the final "Forward Drive" research program
39 report.

1 (9) (a) \$11,922,000 of the move ahead WA flexible account—federal
2 appropriation is provided solely for an Interstate 5 planning and
3 environmental linkage study and a statewide Interstate 5 master plan,
4 building upon existing work under way in the corridor. It is the
5 intent of the legislature to provide a total of \$40,000,000 for this
6 work by 2029.

7 (b) The work under (a) of this subsection must include, but is
8 not limited to, the following:

9 (i) Seismic resiliency planning to refine the level of effort and
10 develop informed cost estimates for the seismic vulnerability
11 analysis;

12 (ii) HOV lane system-wide performance planning and initial steps
13 to launch a pilot project that progresses innovative and emerging
14 technologies;

15 (iii) Interstate 5 corridor planning work, including development
16 of a framework, coordination of corridor needs, development of core
17 evaluation criteria and a prioritization process, and identification
18 of early action priority projects that address safety or resiliency,
19 or both, along the corridor; and

20 (iv) A report to the transportation committees of the legislature
21 by December 1, 2024, with recommendations for future phases and a
22 detailed funding request for work planned through 2029.

23 (c) Of the amounts provided in this subsection, \$300,000 is
24 provided solely for the department to conduct a Seattle Interstate 5
25 ramp reconfiguration study. The study must be conducted in
26 coordination and partnership with the city of Seattle's department of
27 transportation, informed by the input of Interstate 5 lid
28 stakeholders, and coordinated with work under (a) and (b) of this
29 subsection. The department must provide a study report, including
30 recommendations, to the city of Seattle's department of
31 transportation and the transportation committees of the legislature
32 by December 1, 2024. The study must include an analysis of:

33 (i) Options and opportunities to reconfigure, relocate, or remove
34 Interstate 5 ramps within and between Chinatown-International
35 District and the University District for the purpose of improving
36 through-traffic operations, enhancing multimodal transportation
37 safety, and enabling more efficient air rights development;

38 (ii) Potential mitigation needs and cost estimates of ramp
39 changes and demolitions;

1 (iii) Benefits of ramp changes and demolitions to pedestrian and
2 bicycle travel, transit operations, and future lid design;

3 (iv) Ramps for the mainline, collector-distributor lanes and
4 express lanes including, at a minimum, ramps connecting to and from
5 James Street, Cherry Street, 6th Avenue, Madison Street, Seneca
6 Street, Spring Street, University Street, Union Street, Olive Way,
7 Yale Avenue, NE 45th Street, and NE 50th Street;

8 (v) Removal of the existing ramps at Seneca Street, Spring
9 Street, and University Street; and

10 (vi) Removal and consolidation options of the existing NE 45th
11 Street and NE 50th Street ramps.

12 (d) The department shall work with the emergency management
13 division of the military department to identify strategic
14 transportation corridors, opportunities to improve resilience and
15 reinforce the corridors against natural disasters, and opportunities
16 to secure federal funding for investments in the resilience of the
17 transportation network. The department shall provide a report to the
18 transportation committees of the legislature by December 1, 2023, on:

19 (i) Strategic transportation corridors and opportunities to
20 improve their resilience;

21 (ii) Federal funding opportunities the state should pursue; and

22 (iii) Recommendations for actions to maximize federal funding for
23 the state of Washington.

24 (10) The department shall continue to coordinate planning work
25 focused on the transportation system in western Washington across
26 modes with the goal of maximizing system performance toward the
27 policy goals in RCW 47.04.280 in the most cost-effective manner. This
28 coordination must include, but is not limited to: The Interstate 5
29 highway corridor, existing rail infrastructure and future high-speed
30 rail alignment, and commercial aviation capacity. The department must
31 report to the joint transportation committee through existing
32 reporting mechanisms on the status of these planning efforts
33 including, but not limited to, a long-term strategy for addressing
34 resilience of the transportation system in western Washington through
35 consideration of changing demand, modal integration, and preservation
36 needs. The coordinated work must include an analysis of different
37 alternatives to promote system resilience, including performance and
38 cost of each scenario.

39 ***(11) \$200,000 of the motor vehicle account—state appropriation is***
40 ***provided solely for planning and intersection improvements along***

1 state route number 904 and improvements to the local network that
2 would feed intersections with state route number 904. This work must
3 include, but is not limited to, the Medical Lake/Four Lakes Road/West
4 3rd Ave intersection and feeding local network. The department must
5 collaborate with Spokane county and the city of Cheney on this work
6 and other improvement ideas along the corridor.

7 (12) \$1,500,000 of the motor vehicle account—state appropriation
8 is provided solely for a comprehensive analysis of the state and
9 local transportation network in the US 12/A Street/Tank Farm Road/
10 Sacajawea Road/Lewis Street Interchange vicinity to identify long-
11 term, practical, and multimodal solutions that maximize the use of
12 the existing transportation system and reduce the risk of crashes in
13 the corridor.

14 (13) \$3,000,000 of the carbon emissions reduction account—state
15 appropriation is provided solely for the department, in coordination
16 with the department's HEAL act team and environmental services
17 office, to develop and implement a community outreach, education, and
18 technical assistance program for overburdened communities and their
19 community partners in order to develop community-centered carbon
20 reduction strategies to make meaningful impacts in a community, and
21 to provide assistance in gaining access to available funding to
22 implement these strategies, where applicable. The department may
23 provide appropriate compensation to members of overburdened
24 communities who provide solicited community participation and input
25 needed by the department to implement and administer the program
26 established in this subsection. By June 1, 2024, and by June 1, 2025,
27 the department must submit a report to the transportation committees
28 of the legislature and to the governor that provides an update on the
29 department's community outreach, education, and technical assistance
30 program development and implementation efforts.

**Sec. 219 was partially vetoed. See message at end of chapter.*

31 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

33	Aeronautics Account—State Appropriation.	\$1,000
34	Transportation Partnership Account—State	
35	Appropriation.	\$29,000
36	Motor Vehicle Account—State Appropriation.	\$105,197,000
37	Puget Sound Ferry Operations Account—State	

1	Appropriation.	\$244,000
2	State Route Number 520 Corridor Account—State	
3	Appropriation.	\$69,000
4	Connecting Washington Account—State Appropriation.	\$233,000
5	Multimodal Transportation Account—State	
6	Appropriation.	\$5,585,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation.	\$43,000
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation.	\$38,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$40,000
13	TOTAL APPROPRIATION.	\$111,479,000

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

16 (1) Consistent with existing protocol and practices, for any
17 negotiated settlement of a claim against the state for the department
18 that exceeds \$5,000,000, the department, in conjunction with the
19 attorney general and the department of enterprise services, shall
20 notify the director of the office of financial management and the
21 transportation committees of the legislature.

22 (2) On August 1, 2023, and semiannually thereafter, the
23 department, in conjunction with the attorney general and the
24 department of enterprise services, shall provide a report with
25 judgments and settlements dealing with the Washington state ferry
26 system to the director of the office of financial management and the
27 transportation committees of the legislature. The report must include
28 information on: (a) The number of claims and settlements by type; (b)
29 the average claim and settlement by type; (c) defense costs
30 associated with those claims and settlements; and (d) information on
31 the impacts of moving legal costs associated with the Washington
32 state ferry system into the statewide self-insurance pool.

33 (3) On August 1, 2023, and semiannually thereafter, the
34 department, in conjunction with the attorney general and the
35 department of enterprise services, shall provide a report with
36 judgments and settlements dealing with the nonferry operations of the
37 department to the director of the office of financial management and
38 the transportation committees of the legislature. The report must
39 include information on: (a) The number of claims and settlements by

1 type; (b) the average claim and settlement by type; and (c) defense
2 costs associated with those claims and settlements.

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

8 *NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—**
9 **PUBLIC TRANSPORTATION—PROGRAM V**

10	Carbon Emissions Reduction Account—State	
11	Appropriation.	\$500,000
12	Climate Transit Programs Account—State Appropriation.	\$406,287,000
13	State Vehicle Parking Account—State Appropriation.	\$784,000
14	Regional Mobility Grant Program Account—State	
15	Appropriation.	\$115,060,000
16	Rural Mobility Grant Program Account—State	
17	Appropriation.	\$32,774,000
18	Multimodal Transportation Account—State	
19	Appropriation.	\$118,255,000
20	Multimodal Transportation Account—Federal	
21	Appropriation.	\$4,374,000
22	Multimodal Transportation Account—Private/Local	
23	Appropriation.	\$100,000
24	TOTAL APPROPRIATION.	\$678,134,000

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

27 (1) \$64,354,000 of the multimodal transportation account—state
28 appropriation and \$78,100,000 of the climate transit programs account
29 —state appropriation are provided solely for a grant program for
30 special needs transportation provided by transit agencies and
31 nonprofit providers of transportation. Of this amount:

32 (a) \$14,420,000 of the multimodal transportation account—state
33 appropriation and \$17,963,000 of the climate transit programs account
34 —state appropriation are provided solely for grants to nonprofit
35 providers of special needs transportation. Grants for nonprofit
36 providers must be based on need, including the availability of other
37 providers of service in the area, efforts to coordinate trips among
38 providers and riders, and the cost effectiveness of trips provided.

1 (b) \$48,278,000 of the multimodal transportation account—state
2 appropriation and \$60,137,000 of the climate transit programs account
3 —state appropriation are provided solely for grants to transit
4 agencies to transport persons with special transportation needs. To
5 receive a grant, the transit agency must, to the greatest extent
6 practicable, have a maintenance of effort for special needs
7 transportation that is no less than the previous year's maintenance
8 of effort for special needs transportation. Grants for transit
9 agencies must be prorated based on the amount expended for demand
10 response service and route deviated service in calendar year 2021 as
11 reported in the "2021 Summary of Public Transportation" published by
12 the department of transportation. No transit agency may receive more
13 than 30 percent of these distributions. Fuel type may not be a factor
14 in the grant selection process.

15 (c) \$1,656,000 of the multimodal transportation account—state
16 appropriation is provided solely for the reappropriation of amounts
17 provided for this purpose in the 2021-2023 fiscal biennium.

18 (2) \$32,774,000 of the rural mobility grant program account—state
19 appropriation is provided solely for grants to aid small cities in
20 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
21 factor in the grant selection process.

22 (3) \$11,382,000 of the multimodal transportation account—state
23 appropriation is provided solely for a public transit rideshare grant
24 program for: (a) Public transit agencies to add or replace rideshare
25 vehicles; and (b) incentives and outreach to increase rideshare use.
26 The grant program for public transit agencies may cover capital costs
27 only, and costs for operating vanpools at public transit agencies are
28 not eligible for funding under this grant program. Awards from the
29 grant program must not be used to supplant transit funds currently
30 funding ride share programs, or to hire additional employees. Fuel
31 type may not be a factor in the grant selection process. Of the
32 amounts provided in this subsection, \$1,092,000 is for the
33 reappropriation of amounts provided for this purpose in the 2021-2023
34 fiscal biennium.

35 (4) \$37,382,000 of the regional mobility grant program account—
36 state appropriation is reappropriated and provided solely for the
37 regional mobility grant projects identified in LEAP Transportation
38 Document 2023-2 ALL PROJECTS as developed April 21, 2023, Program -
39 Public Transportation Program (V).

1 (5) (a) \$77,679,000 of the regional mobility grant program account
2 —state appropriation is provided solely for the regional mobility
3 grant projects identified in LEAP Transportation Document 2023-2 ALL
4 PROJECTS as developed April 21, 2023, Program - Public Transportation
5 Program (V). The department shall review all projects receiving grant
6 awards under this program at least semiannually to determine whether
7 the projects are making satisfactory progress. Any project that has
8 been awarded funds, but does not report activity on the project
9 within one year of the grant award, must be reviewed by the
10 department to determine whether the grant should be terminated. The
11 department shall promptly close out grants when projects have been
12 completed, and any remaining funds must be used only to fund projects
13 identified in the LEAP transportation document referenced in this
14 subsection. The department shall provide annual status reports on
15 December 15, 2023, and December 15, 2024, to the office of financial
16 management and the transportation committees of the legislature
17 regarding the projects receiving the grants. It is the intent of the
18 legislature to appropriate funds through the regional mobility grant
19 program only for projects that will be completed on schedule. A
20 grantee may not receive more than 25 percent of the amount
21 appropriated in this subsection unless all other funding is awarded.
22 Additionally, when allocating funding for the 2023-2025 fiscal
23 biennium, no more than 30 percent of the total grant program may
24 directly benefit or support one grantee unless all other funding is
25 awarded. Fuel type may not be a factor in the grant selection
26 process.

27 (b) In order to be eligible to receive a grant under (a) of this
28 subsection during the 2023-2025 fiscal biennium, a transit agency
29 must establish a process for private transportation providers to
30 apply for the use of park and ride facilities. For purposes of this
31 subsection, (i) "private transportation provider" means: An auto
32 transportation company regulated under chapter 81.68 RCW; a passenger
33 charter carrier regulated under chapter 81.70 RCW, except marked or
34 unmarked stretch limousines and stretch sport utility vehicles as
35 defined under department of licensing rules; a private nonprofit
36 transportation provider regulated under chapter 81.66 RCW; or a
37 private employer transportation service provider; and (ii) "private
38 employer transportation service" means regularly scheduled, fixed-
39 route transportation service that is offered by an employer for the
40 benefit of its employees.

1 (c) \$1,500,000 of the amount appropriated in this subsection is
2 provided solely for a contingency fund to assist current regional
3 mobility grantees with cost escalations and overages. The department
4 shall create a system for grantees to request funds, and set a cap of
5 contingency funds per grantee to ensure an equitable distribution
6 among requesters.

7 (d) During the 2023-2025 fiscal biennium, the department shall
8 consider applications submitted by regional transportation planning
9 organizations and metropolitan planning organizations for the
10 regional mobility grant program funding in the 2025-2027 fiscal
11 biennium.

12 (6) \$6,195,000 of the multimodal transportation account—state
13 appropriation, \$3,300,000 of the climate transit programs account—
14 state appropriation, and \$784,000 of the state vehicle parking
15 account—state appropriation are provided solely for CTR grants and
16 activities. Fuel type may not be a factor in the grant selection
17 process. Of this amount, \$495,000 of the multimodal transportation
18 account—state appropriation is reappropriated and provided solely for
19 continuation of previously approved projects under the first mile/
20 last mile connections grant program.

21 (7) \$11,914,000 of the multimodal transportation account—state
22 appropriation is provided solely for connecting Washington transit
23 projects identified in LEAP Transportation Document 2023-2 ALL
24 PROJECTS as developed April 21, 2023. It is the intent of the
25 legislature that entities identified to receive funding in the LEAP
26 transportation document referenced in this subsection receive the
27 amounts specified in the time frame specified in that LEAP document.
28 If an entity has already completed a project in the LEAP
29 transportation document referenced in this subsection before the time
30 frame identified, the entity may substitute another transit project
31 or projects that cost a similar or lesser amount.

32 (8) The department shall not require more than a 10 percent match
33 from nonprofit transportation providers for state grants.

34 (9) \$12,000,000 of the multimodal transportation account—state
35 appropriation and \$39,400,000 of the climate transit programs account
36 —state appropriation are provided solely for the green transportation
37 capital projects identified in LEAP Transportation Document 2023-2
38 ALL PROJECTS as developed April 21, 2023, Program - Public
39 Transportation Program (V). Of the amount of climate transit program

1 account funds appropriated in this subsection, up to one percent may
2 be used for program administration and staffing.

3 (10) \$4,407,000 of the multimodal transportation account—state
4 appropriation is reappropriated and provided solely for the green
5 transportation capital grant projects identified in LEAP
6 Transportation Document 2023-2 ALL PROJECTS as developed April 21,
7 2023, Program - Public Transportation Program (V).

8 (11) \$10,000,000 of the climate transit programs account—state
9 appropriation is provided solely for tribal transit grants. Up to one
10 percent of the amount provided in this subsection may be used for
11 program administration and staffing.

12 (a) The department must establish a tribal transit competitive
13 grant program to be administered as part of the department's
14 consolidated grant program. Grants to federally recognized tribes may
15 be for any transit purpose, including planning, operating costs,
16 maintenance, and capital costs. The department shall report to the
17 transportation committees of the legislature and the office of
18 financial management with a list of projects recommended for funding
19 by September 1, 2023, along with recommendations on how to remove
20 barriers for tribes to access grant funds, including removal of grant
21 match requirements, and recommendations for how the department can
22 provide technical assistance.

23 (b) Within the amount provided in this subsection, \$5,038,000 is
24 provided solely for move ahead Washington tribal transit grant
25 projects as listed in LEAP Transportation Document 2023-2 ALL
26 PROJECTS as developed April 21, 2023. Of this amount, \$529,000 is for
27 the Sauk-Suiattle Commuter project (L1000318).

28 (12) \$188,900,000 of the climate transit programs account—state
29 appropriation is provided solely for transit support grants for
30 public transit agencies that have adopted a zero-fare policy for
31 youth 18 years of age and under by October 1, 2022. The department
32 must confirm zero-fare policies are in effect at transit agencies to
33 be eligible for biennial distributions.

34 (13) \$38,000,000 of the climate transit programs account—state
35 appropriation is provided solely for the bus and bus facility grant
36 program for replacement, rehabilitation, and purchase of transit
37 rolling stock, or construction, modification, or rehabilitation of
38 transit facilities.

1 (14) \$2,000,000 of the climate transit programs account—state
2 appropriation is provided solely for newly selected transit
3 coordination grants. The department shall prioritize grant proposals
4 that promote the formation of joint partnerships between transit
5 agencies or merge service delivery across entities.

6 (15) \$46,587,000 of the climate transit programs account—state
7 appropriation is provided solely for move ahead Washington transit
8 projects as listed in LEAP Transportation Document 2023-2 ALL
9 PROJECTS as developed April 21, 2023, Move Ahead WA - Transit
10 Projects.

11 (a) For projects funded as part of this subsection, if the
12 department expects to have substantial reappropriations for the
13 2023-2025 fiscal biennium, the department may, on a pilot basis,
14 apply funding from a project with an appropriation that is unable to
15 be used within the 2023-2025 fiscal biennium to advance one or more
16 of the projects listed, prioritizing projects first by tier then by
17 project readiness.

18 (b) In instances when projects listed in the LEAP transportation
19 document referenced in this subsection (15) are no longer viable or
20 have been completed, the department may recommend in its next budget
21 submittal alternative project proposals from the local jurisdictions
22 if the project is similar in type and scope and consistent with
23 limitations on certain funds provided. In the event that the listed
24 project has been completed, the local jurisdictions may, rather than
25 submitting an alternative project, be reimbursed in the year in which
26 it was scheduled for documented costs incurred implementing the
27 listed project, not in excess of the amount awarded from the funding
28 program.

29 (c) At least 10 business days before advancing or swapping a
30 project pursuant to this subsection, the department must notify the
31 office of financial management and the transportation committees of
32 the legislature. The advancement of a project may not hinder the
33 delivery of the projects for which the reappropriations are necessary
34 for the 2023-2025 fiscal biennium.

35 (16) \$580,000 of the multimodal transportation account—state
36 appropriation is provided solely for the department to provide a
37 statewide vanpool benefit for all state employees. For department
38 employees working in remote job sites, such as mountain passes, the
39 department must ensure employees are able to access job sites via a

1 subsidized vanpool or provide a modal alternative for the "last mile"
2 to ensure employees can access the job site without additional
3 charge.

4 (17) \$200,000 of the multimodal transportation account—state
5 appropriation is provided solely for the department to update the
6 2019 feasibility study to add a fifth travel Washington intercity bus
7 line in the Yakima Valley. The department must provide a summary
8 report of the updated feasibility and cost estimates to the
9 transportation committees of the legislature by December 1, 2024.

10 **(18) The appropriations in this section provide sufficient**
11 **funding for the department assuming vacancy savings that may change**
12 **over time. Funding for staffing will be monitored and adjusted in the**
13 **2024 supplemental transportation appropriations act to restore**
14 **funding as authorized staffing levels are achieved.**

15 (19) \$555,000 of the multimodal transportation account—state
16 appropriation and \$500,000 of the carbon emissions reduction account—
17 state appropriation are provided solely for an interagency transfer
18 to the Washington State University extension energy program to
19 administer a technical assistance and education program for public
20 agencies on the use of alternative fuel vehicles. The Washington
21 State University extension energy program shall prepare a report
22 regarding the utilization of the program and submit this report to
23 the transportation committees of the legislature by November 15,
24 2023.

25 (20)(a) \$400,000 of the multimodal transportation account—state
26 appropriation is provided solely for King county metro to develop a
27 pilot program to place teams, including human services personnel,
28 along routes that are enduring significant public safety issues and
29 various disruptive behavior in south King county. The team would be
30 available to deescalate disruptions, provide immediate access to
31 transit resources, and refer customers to community resources to
32 break cycles of inappropriate behavior. The teams must consist of
33 individuals trained in deescalation and outreach. Team functions and
34 duties should be cocreated with community stakeholders.

35 (b) King county metro must provide a report to the transportation
36 committees of the legislature by June 30, 2024, regarding the
37 effectiveness of the program, any suggestions for improving its
38 efficacy, and any modifications that might be necessary for other
39 transit providers to institute similar programs.

1 (21) \$500,000 of the multimodal transportation account—state
2 appropriation is provided solely for planning to move Grays Harbor
3 transit operation and administration facilities from the current
4 location.

**Sec. 221 was partially vetoed. See message at end of chapter.*

5 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—**
6 **MARINE—PROGRAM X**

7 Puget Sound Ferry Operations Account—State
8 Appropriation. \$575,986,000
9 Puget Sound Ferry Operations Account—Federal
10 Appropriation. \$163,791,000
11 Puget Sound Ferry Operations Account—Private/Local
12 Appropriation. \$121,000
13 TOTAL APPROPRIATION. \$739,898,000

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

16 (1) The office of financial management budget instructions
17 require agencies to recast enacted budgets into activities. The
18 Washington state ferries shall include a greater level of detail in
19 its 2023-2025 supplemental and 2025-2027 omnibus transportation
20 appropriations act requests, as determined jointly by the office of
21 financial management, the Washington state ferries, and the
22 transportation committees of the legislature. This level of detail
23 must include the administrative functions in the operating as well as
24 capital programs. The data in the tables in the report must be
25 supplied in a digital file format.

26 (2) \$90,014,000 of the Puget Sound ferry operations account—
27 federal appropriation and \$50,067,000 of the Puget Sound ferry
28 operations account—state appropriation are provided solely for auto
29 ferry vessel operating fuel in the 2023-2025 fiscal biennium, which
30 reflect cost savings from a reduced biodiesel fuel requirement and,
31 therefore, is contingent upon the enactment of section 703 of this
32 act. The amount provided in this subsection represents the fuel
33 budget for the purposes of calculating any ferry fare fuel surcharge.
34 The department shall review future use of alternative fuels and dual
35 fuel configurations, including hydrogen.

36 (3) \$500,000 of the Puget Sound ferry operations account—state
37 appropriation is provided solely for operating costs related to

1 moving vessels for emergency capital repairs. Funds may only be spent
2 after approval by the office of financial management.

3 (4) The department must work to increase its outreach and
4 recruitment of populations underrepresented in maritime careers and
5 continue working to expand apprenticeship and internship programs,
6 with an emphasis on programs that are shown to improve recruitment
7 for positions with the state ferry system.

8 (5) \$175,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for the department to continue a
10 study of passenger demographics. The study may be included as part of
11 a larger origin and destination study. The department shall report
12 study results to the transportation committees of the legislature by
13 December 1, 2023.

14 (6) The department shall continue to oversee a consultant study
15 to identify and recommend cost-effective strategies to maximize walk-
16 on passenger ridership of the Anacortes - San Juan ferry routes. The
17 study is due to the transportation committees of the legislature by
18 December 1, 2023.

19 (7) \$11,842,000 of the Puget Sound ferry operations account—state
20 appropriation is provided solely for Washington state ferries to:

21 (a) Provide scholarships, coursework fees, and stipends for
22 candidates to become licensed deck officers (mates);

23 (b) Improve the process for unlicensed candidates who have
24 achieved able-bodied sailor (AB) status to earn their mate's license;

25 (c) Annually hire, orient, train, and develop entry level engine
26 room staff at the wiper classification with the intention of
27 successfully promoting to oiler classification;

28 (d) Create an operations project management office; and

29 (e) Increase human resources capacity and add a workforce ombuds.

30 (8) (a) During negotiations of the 2025-2027 collective bargaining
31 agreements, the department must conduct a review and analysis of the
32 collective bargaining agreements governing state ferry employees, to
33 identify provisions that create barriers for, or contribute to
34 creating a disparate impact on, newly hired ferry employees,
35 including those who are women, people of color, veterans, and other
36 employees belonging to communities that have historically been
37 underrepresented in the workforce. The review and analysis must
38 incorporate, to the extent practicable, the findings and
39 recommendations from the December 2022 joint transportation committee
40 study on Washington state ferries' workforce, and must also include,

1 but not be limited to, provisions regarding seniority, work
2 assignments, and work shifts. The review and analysis must also
3 include consultation with the governor's office of labor relations,
4 the governor's office of equity, and the attorney general's office.

5 (b) For future negotiations or modifications of the collective
6 bargaining agreements, it is the intent of the legislature that the
7 collective bargaining representatives for the state and ferry
8 employee organizations may consider the findings of the review and
9 analysis required in (a) of this subsection and negotiate in a manner
10 to remove identified barriers and address identified impacts so as
11 not to perpetuate negative impacts.

12 (9) \$1,500,000 of the Puget Sound ferry operations account—state
13 appropriation is provided solely for the restoration of service to
14 Sidney, British Columbia. Funds must be held in unallotted status
15 pending completion of the assessment referenced in subsection (12) of
16 this section.

17 (10) \$1,504,000 of the Puget Sound ferry operations account—state
18 appropriation is provided solely for the implementation of
19 chapter . . . (Senate Bill No. 5550), Laws of 2023 (state ferry
20 workforce development issues). If chapter . . . (Senate Bill No.
21 5550), Laws of 2023 is not enacted by June 30, 2023, the amount
22 provided in this subsection lapses.

23 (11) \$1,000,000 of the Puget Sound ferry operations account—state
24 appropriation is provided solely for support of the Kitsap transit
25 passenger ferry to supplement service on the Seattle-Bremerton route.

26 (12) \$100,000 of the Puget Sound ferry operations account—state
27 appropriation is provided solely to assess temporary service
28 restoration options for the Sidney, British Columbia route until
29 Washington state ferries can resume its service. Washington state
30 ferries must provide service options and recommendations to the
31 office of financial management and the transportation committees of
32 the legislature by December 15, 2023.

33 (13) \$2,100,000 of the Puget Sound ferry operations account—state
34 appropriation is provided solely for security services at Colman
35 Dock.

36 (14) \$9,000,000 of the Puget Sound ferry operations account—state
37 appropriation is provided solely for overtime and familiarization
38 expenses incurred by engine, deck, and terminal staff. The department
39 must provide updated staffing cost estimates for fiscal years 2024

1 and 2025 with its annual budget submittal and updated estimates by
2 January 1, 2024.

3 (15) \$1,064,000 of the Puget Sound ferry operations account—state
4 appropriation is provided solely for traffic control at ferry
5 terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and
6 Bainbridge Island, during peak ferry travel times, with a particular
7 focus on Sundays and holiday weekends.

8 (16) \$93,000 of the Puget Sound ferry operations account—state
9 appropriation is provided solely for the Washington state ferries to
10 secure housing for workforce training sessions and to pay in advance
11 for the costs of transportation worker identification credentials,
12 merchant mariner credentials, and medical examinations for incoming
13 ferry system employees and trainees.

14 (17) \$10,417,000 of the Puget Sound ferry operations account—
15 state appropriation is provided solely for vessel maintenance
16 initiatives to:

- 17 (a) Add a second shift at the Eagle Harbor maintenance facility;
- 18 (b) Establish maintenance management project controls to maximize
19 vessel maintenance work at the Eagle Harbor facility;
- 20 (c) Expand the existing Washington state ferries Eagle Harbor
21 apprenticeship program from two to eight apprentices; and
- 22 (d) Maintain assets in a state of good repair by investing in
23 enterprise asset management operating capacity.

24 (18)(a) \$855,000 of the Puget Sound ferry operations account—
25 state appropriation is provided solely for Washington state ferries
26 to provide to Seattle Central Community College for a pilot with the
27 Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding
28 may not be expended until Washington state ferries certifies to the
29 office of financial management that a memorandum of agreement with
30 Seattle Central Community College has been executed, and the office
31 of financial management determines that funds provided in this
32 subsection are utilized for programs that are a benefit to the
33 Washington state ferries or the prospective workforce pipeline of the
34 Washington state ferries. The memorandum of agreement with Seattle
35 Central Community College must address:

- 36 (i) Prioritized use of training and other facilities and
37 implementation of joint training opportunities for Washington state
38 ferries' employees and trainees;

1 (ii) Development of a joint recruitment plan with Seattle Central
2 Community College aimed at increasing enrollment of women and people
3 of color, with specific strategies to recruit existing community and
4 technical college students, maritime skills center students, high
5 school students from maritime programs, including maritime skills
6 center students, foster care graduates, and former juvenile
7 rehabilitation and adult incarcerated individuals; and

8 (iii) Consultation between the parties on the development of the
9 training program, recruitment plan and operational plan, with an
10 emphasis on increasing enrollment of women and people of color.

11 (b) The joint training and recruitment plan must be submitted to
12 the appropriate policy and fiscal committees of the legislature by
13 December 1, 2023. The Washington state ferries must submit findings
14 of program effectiveness and recommendations for continuation of the
15 pilot, to the appropriate committees of the legislature by December
16 1, 2024.

17 (19) \$420,000 of the Puget Sound ferry operations account
18 appropriation—state is provided solely for a contract with an
19 organization with experience evaluating and developing
20 recommendations for the Washington state ferries' workforce to
21 provide expertise on short-term strategies including, but not limited
22 to, addressing recruitment, retention, diversity, training needs,
23 leadership development, and succession planning. The consultant shall
24 provide additional assistance as deemed necessary by the Washington
25 state ferries to implement recommendations from the joint
26 transportation committee 2022 workforce study. Periodic updates must
27 be given to the joint transportation committee and the governor.

28 (20) By December 31st of each year, as part of the annual ferries
29 division performance report, the department must report on the status
30 of efforts to increase the staff available for maintaining the
31 customary level of ferry service, including staff for deck, engine,
32 and terminals. The report must include data for a 12-month period up
33 to the most recent data available, by staff group, showing the number
34 of employees at the beginning of the 12-month period, the number of
35 new employees hired, the number of employees separating from service,
36 and the number of employees at the end of the 12-month period. The
37 department report on additional performance measures must include:

38 (a) Numbers of trip cancellations due to crew availability or
39 vessel mechanical issues; and

1 (b) Current level of service compared to the full-service
2 schedules in effect in 2019.

3 *NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—
4 RAIL—PROGRAM Y—OPERATING

5 Carbon Emissions Reduction Account—State
6 Appropriation. \$2,250,000
7 Multimodal Transportation Account—State
8 Appropriation. \$90,565,000
9 Multimodal Transportation Account—Private/Local
10 Appropriation. \$46,000
11 TOTAL APPROPRIATION. \$92,861,000

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

14 (1) The department shall continue to pursue restoring Amtrak
15 Cascades service to pre-COVID service levels, and to the service
16 levels committed to through the department's obligation of funding
17 from the federal American recovery and reinvestment act. A status
18 report must be provided to the transportation committees of the
19 legislature and the office of financial management by September 1,
20 2023.

21 (2) (a) \$2,250,000 of the multimodal transportation account—state
22 appropriation is provided solely for the continued coordination,
23 engagement, and planning for a new ultra high-speed ground
24 transportation corridor with participation from Washington state,
25 Oregon state, and British Columbia, and is a reappropriation of funds
26 appropriated in the 2021-2023 fiscal biennium. For purposes of this
27 subsection, "ultra high-speed" means a maximum testing speed of at
28 least 250 miles per hour. These efforts are to support and advance
29 activities and must abide by the memorandum of understanding signed
30 by the governors of Washington and Oregon states, and the premier of
31 the province of British Columbia in November 2021. The department
32 shall establish a policy committee with participation from Washington
33 state, Oregon state, and British Columbia, including representation
34 from the two largest caucuses of each chamber of the Washington state
35 legislature, and coordinate the activities of the policy committee to
36 include:

37 (i) Developing an organizational framework that facilitates input
38 in decision-making from all parties;

1 (ii) Developing a public engagement approach with a focus on
2 equity, inclusion, and meaningful engagement with communities,
3 businesses, federal, state, provincial, and local governments
4 including indigenous communities;

5 (iii) Developing and leading a collaborative approach to prepare
6 and apply for potential future federal, state, and provincial funding
7 opportunities, including development of strategies for incorporating
8 private sector participation and private sector contributions to
9 funding, including through the possible use of public-private
10 partnerships;

11 (iv) Beginning work on scenario analysis addressing advanced
12 transportation technologies, land use and growth assumptions, and an
13 agreed to and defined corridor vision statement; and

14 (v) Developing a recommendation on the structure and membership
15 of a formal coordinating entity that will be responsible for
16 advancing the project through the project initiation stage to project
17 development and recommended next steps for establishment of the
18 coordinating entity. Project development processes must include
19 consideration of negative and positive impacts on communities of
20 color, low-income households, indigenous peoples, and other
21 disadvantaged communities.

22 (b) By June 30, 2024, the department shall provide to the
23 governor and the transportation committees of the legislature a high-
24 level status update that includes, but is not limited to, the status
25 of the items included in (a)(i) through (v) of this subsection.

26 (c) By June 30, 2025, the department shall provide to the
27 governor and the transportation committees of the legislature a
28 report detailing the work conducted by the policy committee and
29 recommendations for establishing a coordinating entity. The report
30 must also include an assessment of current activities and results
31 relating to stakeholder engagement, planning, and any federal funding
32 application. As applicable, the assessment should also be sent to the
33 executive and legislative branches of government in Oregon state and
34 appropriate government bodies in the province of British Columbia.

35 **(3) The appropriations in this section provide sufficient funding**
36 **for the department assuming vacancy savings that may change over**
37 **time. Funding for staffing will be monitored and adjusted in the 2024**
38 **supplemental transportation appropriations act to restore funding as**
39 **authorized staffing levels are achieved.**

1 (4) \$1,800,000 of the multimodal transportation account—state
2 appropriation is provided solely for the department to pursue federal
3 grant opportunities to develop and implement a technology-based truck
4 parking availability system along the Interstate 5 Corridor in
5 partnership with Oregon state and California state to maximize
6 utilization of existing truck parking capacity and deliver real-time
7 parking availability information to truck drivers. The department may
8 use a portion of the appropriation in this subsection for grant
9 proposal development and as state match funding for technology-based
10 truck parking availability system federal grant applications. The
11 department must update the transportation committees of the
12 legislature on agency activities and their status by December 1,
13 2023, and to provide a final report to the transportation committees
14 of the legislature by December 1, 2024.

15 (5) \$5,950,000 of the multimodal transportation account—state
16 appropriation is provided solely for implementation of truck parking
17 improvements recommended by the freight mobility strategic investment
18 board in consultation with the department under section 206(4) of
19 this act. The office of financial management must place this amount
20 in unallotted status.

**Sec. 223 was partially vetoed. See message at end of chapter.*

21 *NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—**
22 **LOCAL PROGRAMS—PROGRAM Z—OPERATING**

23	Motor Vehicle Account—State Appropriation.	\$13,569,000
24	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
25	Multiuse Roadway Safety Account—State Appropriation. . . .	\$1,230,000
26	Multimodal Transportation Account—State	
27	Appropriation.	\$1,450,000
28	TOTAL APPROPRIATION.	\$18,816,000

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

31 (1) \$500,000 of the motor vehicle account—state appropriation is
32 provided solely for development, administration, program management,
33 and evaluation of the federal fund exchange pilot program.

34 (2) \$1,063,000 of the motor vehicle account—state appropriation
35 is provided solely for the department, from amounts set aside out of
36 statewide fuel taxes distributed to counties according to RCW

1 46.68.120(3), to contract with the Washington state association of
2 counties to:

3 (a) Contract with the department of fish and wildlife to
4 identify, inventory, and prioritize county-owned fish passage
5 barriers;

6 (b) Continue streamlining and updating the county road
7 administration board's data dashboard, to provide a more detailed,
8 more transparent, and user-friendly platform for data management,
9 reporting, and research by the public and other interested parties;

10 (c) Commission a study to develop guidance for county public
11 works departments conducting environmental justice assessments in
12 their communities and recommend best practices for community
13 engagement plans to address environmental health disparities for
14 identified overburdened communities;

15 (d) Contract for a study to identify best practices within public
16 works for the recruitment and retention of employees, including:
17 Recommendations for improving outreach and recruitment to
18 underrepresented populations, methods to partner with local community
19 colleges and universities, methods to expand apprenticeship and
20 internship programs, strategies to increase training and development
21 opportunities, and recommendations for career advancement programs
22 and better work-life balance outcomes;

23 (e) Update the 2020 county transportation revenue study; and

24 (f) By December 15, 2024, report to the office of financial
25 management and the appropriate committees of the legislature the
26 deliverables from and the amounts expended on the purposes enumerated
27 in this subsection.

28 **(3) The department shall examine the feasibility of creating a**
29 **new departmental program for active transportation. By December 1,**
30 **2023, the department shall report findings and recommendations to the**
31 **transportation committees of the legislature and the office of**
32 **financial management, including, but not limited to:**

33 **(a) Estimated cost, new staffing needs, and time frame to**
34 **establish the program;**

35 **(b) A proposed budget structure, and whether both operating and**
36 **capital components should be established; and**

37 **(c) Identification of staff, capital projects, and other**
38 **resources that would need to transfer from other existing programs.**

39 **(4) The appropriations in this section provide sufficient funding**
40 **for the department assuming vacancy savings that may change over**

1 ***time. Funding for staffing will be monitored and adjusted in the 2024***
2 ***supplemental transportation appropriations act to restore funding as***
3 ***authorized staffing levels are achieved.***

4 (5) (a) \$200,000 of the multimodal transportation account—state
5 appropriation is provided solely for the department to develop the
6 preliminary phase of an action plan for the establishment of cycle
7 highways in locations that connect population centers and support
8 mode shift.

9 (b) The action plan may complement and incorporate existing
10 resources, including the state trails database maintained by the
11 recreation and conservation office, local and regional plans, and the
12 state active transportation plan.

13 (c) The action plan may also include, but is not limited to:

14 (i) Recommended design; geometric and operational criteria and
15 typologies appropriate to urban, suburban, and rural settings;
16 settings that include shared use; and incremental approaches to
17 achieve desired facility types;

18 (ii) A model or methodology to project potential demand and
19 carrying capacity based on facility quality, level of traffic stress,
20 location, directness, land use, and other key attributes;

21 (iii) Examination of the feasibility of developing high-capacity
22 infrastructure for bicycle and micromobility device use within a
23 variety of contexts and recommendations for pilot projects;

24 (iv) Identification of key gaps in regional networks, including
25 planned and aspirational routes and locations within three miles of
26 high-capacity transit or existing shared-use paths and trails
27 suitable for transportation;

28 (v) Identification of legal, regulatory, financial,
29 collaboration, and practical barriers to development and community
30 acceptance and support of such facilities; and

31 (vi) Recommended strategies to consider and address issues to
32 avoid unintended consequences such as displacement, and to ensure
33 equity in long-term development of such facilities.

34 (d) The department must provide a report with its initial
35 findings, and recommendations for next steps, to the transportation
36 committees of the legislature by June 30, 2025.

37 (6) \$140,000 of the motor vehicle account—state appropriation is
38 provided solely for the Pierce county ferry to eliminate fares for
39 passengers 18 years of age and younger.

1 (7) \$750,000 of the multimodal transportation account—state
2 appropriation is provided solely for a grant program to support local
3 initiatives that expand or establish civilian intervention programs
4 for nonmoving violations, focusing on nonpunitive interventions such
5 as helmet voucher programs, fee offset programs, fix-it tickets, and
6 repair vouchers that provide solutions for vehicle equipment failures
7 for low-income road users.

8 (a) Grants must be awarded to local jurisdictions based on
9 locally developed proposals to establish or expand existing programs,
10 including programs with community led organizations. Eligible
11 jurisdictions under the grant program include cities, counties,
12 tribal government entities, tribal organizations, law enforcement
13 agencies, or nonprofit organizations.

14 (b) The department shall report on its website by December 1st of
15 each year on the recipients, locations, and types of projects funded
16 under this subsection.

17 (8) \$146,000 of the motor vehicle account—state appropriation is
18 provided solely for the implementation of chapter . . . (Engrossed
19 House Bill No. 1782), Laws of 2023 (Wahkiakum ferry). If
20 chapter . . . (Engrossed House Bill No. 1782), Laws of 2023 is not
21 enacted by June 30, 2023, the amount provided in this subsection
22 lapses.

**Sec. 224 was partially vetoed. See message at end of chapter.*

23 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION—**
24 **VACANCY-RELATED TRANSFER AUTHORITY**

25 (1) The appropriations to the department of transportation must
26 be expended for the programs and in the amounts specified in this
27 act. Appropriations made in this act to the department of
28 transportation must initially be allotted as required under this act.
29 Subsequent allotment modifications may not include transfers of
30 appropriation authority between sections of this act except as
31 expressly provided in this act. Allotment modifications may not
32 permit moneys that are provided solely for a specified purpose to be
33 used for another purpose. However, between October 1, 2023, and March
34 1, 2024, subject to subsection (2)(a) of this section, the department
35 of transportation may transfer state appropriation authority for the
36 2023-2025 fiscal biennium among operating programs after approval by
37 the director of the office of financial management.

1 (2) (a) To ensure that staffing vacancy savings assumed in this
2 act do not impair the ability of each individual program to fill
3 authorized staffing positions, maintain operational capacity, and
4 provide anticipated service delivery levels, the department of
5 transportation may, after approval by the director of the office of
6 financial management: (i) Transfer state motor vehicle account and
7 multimodal transportation account appropriation authority among
8 operating programs, up to the amount of the assumed vacancy savings
9 in each program receiving the transfer; and (ii) make associated
10 staffing-related allotment modifications associated with expenditures
11 for fiscal year 2024. However, transfers authorized in this section
12 may not include the toll operations and maintenance program (program
13 B) or the marine operations program (program X) appropriation
14 authority or allotments, and transfers may only be made within each
15 specific fund source. The department may not transfer appropriation
16 authority, and the director of the office of financial management may
17 not approve the transfer, unless the transfer is consistent with the
18 objective of conserving, to the maximum extent possible, the
19 expenditure of state funds and not federal funds.

20 (b) The director of the office of financial management shall
21 notify in writing the transportation committees of the legislature
22 seven days before approving any allotment modifications or transfers
23 under this section. The written notification must include a narrative
24 explanation and justification of the changes, along with expenditures
25 and allotments by programs and appropriation, both before and after
26 any allotment modifications or transfers.

27 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION—**
28 **CLEAN FUELS CREDIT PROGRAM**

29 The department of transportation, with the assistance of
30 designated staff in the department, must register for the clean fuels
31 credit program and start tracking revenue generation pursuant to
32 chapter 70A.535 RCW for investments funded in an omnibus
33 transportation appropriations act. The omnibus transportation
34 appropriations act anticipates credits for ferry electrification for
35 new hybrid electric vessels, active transportation, transit programs
36 and projects, alternative fuel infrastructure, connecting
37 communities, and multimodal investments.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

3 State Patrol Highway Account—State Appropriation. . . . \$7,700,000

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

6 (1) \$7,700,000 of the state patrol highway account—state
7 appropriation is provided solely for the following projects:

- 8 (a) \$250,000 is for emergency repairs;
- 9 (b) \$2,000,000 is for roof replacements;
- 10 (c) \$350,000 is for fuel tank decommissioning;
- 11 (d) \$500,000 is for generator and electrical replacement;
- 12 (e) \$500,000 is for the exterior envelope of the Yakima office;
- 13 (f) \$2,000,000 is for energy efficiency projects;
- 14 (g) \$1,000,000 is for pavement surface improvements;
- 15 (h) \$300,000 is for fire alarm panel replacement;
- 16 (i) \$200,000 is for an academy master plan. As part of the

17 academy master plan, the Washington state patrol must review and
18 provide an analysis on the potential to colocate some training
19 programs with other state agencies, including the department of
20 corrections, the department fish and wildlife, the liquor and
21 cannabis board, and the criminal justice training commission. The
22 Washington state patrol must consult with the other state agencies to
23 determine where cost efficiencies and mutually beneficial shared
24 arrangements for training delivery could occur. The funding for this
25 academy master plan is not a commitment to fund any components
26 related to the expansion of the academy in the future;

27 (j) \$500,000 reappropriation is for the Tacoma district office
28 generator replacement project; and

29 (k) \$100,000 reappropriation is for the energy improvement
30 project at the SeaTac northbound facility.

31 (2) The Washington state patrol may transfer funds between
32 projects specified in subsection (1) of this section to address cash
33 flow requirements.

34 (3) If a project specified in subsection (1) of this section is
35 completed for less than the amount provided, the remainder may be
36 transferred to another project specified in subsection (1) of this
37 section not to exceed the total appropriation provided in subsection
38 (1) of this section after notifying the office of financial

1 management and the transportation committees of the legislature 20
2 days before any transfer.

3 (4) By December 1, 2023, the Washington state patrol shall
4 provide a report to the transportation committees of the legislature
5 detailing utility incentives that will reduce the cost of heating,
6 ventilating, and air conditioning systems funded in this section.

7 (5) By December 1, 2023, the Washington state patrol shall
8 provide its capital improvement and preservation plan for agency
9 facilities to the appropriate committees of the legislature.

10 **NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

11 Move Ahead WA Account—State Appropriation.	\$9,333,000
12 Rural Arterial Trust Account—State Appropriation.	\$58,000,000
13 Motor Vehicle Account—State Appropriation.	\$2,456,000
14 County Arterial Preservation Account—State	
15 Appropriation.	\$35,500,000
16 TOTAL APPROPRIATION.	\$105,289,000

17 **NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

18 Small City Pavement and Sidewalk Account—State	
19 Appropriation.	\$3,975,000
20 Transportation Improvement Account—State	
21 Appropriation.	\$240,000,000
22 Complete Streets Grant Program Account—State	
23 Appropriation.	\$14,670,000
24 Move Ahead WA Account—State Appropriation.	\$9,333,000
25 Climate Active Transportation Account—State	
26 Appropriation.	\$19,067,000
27 TOTAL APPROPRIATION.	\$287,045,000

28 **NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**
29 **FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—**
30 **CAPITAL**

31 Motor Vehicle Account—State Appropriation.	\$29,173,000
32 Move Ahead WA Account—State Appropriation.	\$12,011,000
33 Multimodal Transportation Account—State	
34 Appropriation.	\$1,200,000
35 TOTAL APPROPRIATION.	\$42,384,000

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

3 (1) \$4,025,000 of the motor vehicle account—state appropriation
4 is provided solely for payments of a financing contract issued
5 pursuant to chapter 39.94 RCW for the department facility located at
6 15700 Dayton Ave N in Shoreline. All payments from the department of
7 ecology pursuant to the agreement with the department to pay a share
8 of the financing contract for this facility must be deposited into
9 the motor vehicle account.

10 (2) (a) \$10,011,000 of the move ahead WA account—state
11 appropriation is provided solely for the department to improve its
12 ability to keep facility assets in a state of good repair. In using
13 the funds appropriated in this subsection, the department, with
14 periodic reporting to the joint transportation committee, must
15 develop and implement a prioritization of facility capital
16 preservation needs and repair projects. The legislature intends these
17 to be reasonable, forward-thinking investments that consider
18 potential future space efficiency measures and consolidations,
19 including those assessed as having high commercial value and
20 potential returns to state transportation funds associated with the
21 sale of the property. Prioritization must be based on, but not
22 limited to, the following criteria: (i) Employee safety and facility
23 security; (ii) state and federal regulatory and statutory
24 requirements and compliance issues, including clean buildings
25 requirements; (iii) quality of work issues; (iv) facility condition
26 assessment evaluations and scoring; (v) asset preservation; and (vi)
27 amount of operational support provided by the facility to the
28 achievement of the department's performance measures and outcomes,
29 including facility utilization based on field operations work
30 supported at the location. "Field operations" include maintenance,
31 transportation operations, materials testing, and construction.

32 (b) By October 15, 2024, covering the first 15 months of the
33 2023-2025 fiscal biennium, the department must provide a report based
34 on the prioritization of facility preservation needs and repair
35 projects developed pursuant to (a) of this subsection to the office
36 of financial management and the transportation committees of the
37 legislature. The report must include: (i) A by facility ranking based
38 on the criteria implemented; (ii) detailed information on the actions
39 taken in the previous period to address the identified issues and

1 deficiencies; and (iii) the plan, by facility, to address issues and
2 deficiencies for the remainder of the 2023-2025 fiscal biennium and
3 the 2025-2027 fiscal biennium.

4 (c) The by facility ranking developed under (b) of this
5 subsection must be the basis of an agency budget submittal for the
6 2025-2027 fiscal biennium.

7 (3) (a) \$1,200,000 of the multimodal transportation account—state
8 appropriation is provided solely for the department to evaluate
9 safety rest areas along Interstate 5 and Interstate 90 for potential
10 truck parking expansion opportunities. The department shall also
11 evaluate commercial vehicle inspection locations, in coordination
12 with the Washington state patrol, for potential truck parking
13 expansion opportunities.

14 (b) These evaluations must include assessments of opportunities
15 to provide additional truck parking through rest stop and inspection
16 location reconfiguration, expansion, and conversion, as well as
17 evaluation of potential improvements to restroom facilities at weigh
18 stations with truck parking. The department shall consider
19 opportunities to expand rest stop footprints onto additional
20 department-owned property, as well as opportunities to acquire
21 property for rest stop expansion. Opportunities to convert a rest
22 stop to a commercial vehicle-only rest stop must be considered if
23 property is available to develop a new light-duty vehicle rest stop
24 within a reasonable distance. The department shall include an
25 evaluation of a potential truck parking site at John Hill Rest Area
26 along the Interstate 90 corridor identified in the joint
27 transportation committee's "Truck Parking Action Plan." Evaluations
28 must include cost estimates for reconfiguration, expansion, and
29 conversion, as well as other recommendations for the development of
30 these sites.

31 (c) The department should consult with the federal highway
32 administration, the Washington state patrol, the Washington trucking
33 association, the freight mobility strategic investment board, and
34 local communities.

35 (d) The department must update the transportation committees of
36 the legislature on agency activities and their status by December 1,
37 2023, and to provide a final report to the transportation committees
38 of the legislature by December 1, 2024.

39 (4) \$15,457,000 of the motor vehicle account—state appropriation
40 is provided solely for making improvements to the department facility

1 located at 11018 NE 51st Cir in Vancouver to meet the Washington
2 state clean buildings performance standard.

3 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **IMPROVEMENTS—PROGRAM I**

5	Alaskan Way Viaduct Replacement Project Account—	
6	State Appropriation.	\$23,794,000
7	Climate Active Transportation Account—State	
8	Appropriation.	\$2,000,000
9	Move Ahead WA Account—Private/Local Appropriation. . . .	\$137,500,000
10	Transportation 2003 Account (Nickel Account)—State	
11	Appropriation.	\$317,000
12	Transportation Partnership Account—State	
13	Appropriation.	\$32,643,000
14	Motor Vehicle Account—State Appropriation.	\$80,524,000
15	Motor Vehicle Account—Federal Appropriation.	\$445,933,000
16	Coronavirus State Fiscal Recovery Fund—Federal	
17	Appropriation.	\$300,000,000
18	Motor Vehicle Account—Private/Local Appropriation. . . .	\$52,530,000
19	Connecting Washington Account—State Appropriation. . .	\$2,143,116,000
20	Special Category C Account—State Appropriation.	\$133,749,000
21	Multimodal Transportation Account—State	
22	Appropriation.	\$5,915,000
23	State Route Number 520 Corridor Account—State	
24	Appropriation.	\$400,000
25	Interstate 405 and State Route Number 167 Express	
26	Toll Lanes Account—State Appropriation.	\$304,480,000
27	Move Ahead WA Account—State Appropriation.	\$590,313,000
28	Move Ahead WA Account—Federal Appropriation.	\$340,300,000
29	TOTAL APPROPRIATION.	\$4,593,514,000

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

32 (1) Except as provided otherwise in this section, the entire
33 connecting Washington account—state appropriation, the entire move
34 ahead WA account—federal appropriation, the entire move ahead WA
35 account—state appropriation, and the entire transportation
36 partnership account—state appropriation are provided solely for the
37 projects and activities as listed by fund, project, and amount in

1 LEAP Transportation Document 2023-1 as developed April 21, 2023,
2 Program - Highway Improvements Program (I). However, limited
3 transfers of specific line-item project appropriations may occur
4 between projects for those amounts listed subject to the conditions
5 and limitations in section 601 of this act.

6 (2) Except as provided otherwise in this section, the entire
7 motor vehicle account—state appropriation and motor vehicle account—
8 federal appropriation are provided solely for the projects and
9 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS
10 as developed April 21, 2023, Program - Highway Improvements Program
11 (I). Any federal funds gained through efficiencies, adjustments to
12 the federal funds forecast, or the federal funds redistribution
13 process must then be applied to highway and bridge preservation
14 activities.

15 (3) Within the motor vehicle account—state appropriation and
16 motor vehicle account—federal appropriation, the department may
17 transfer appropriation authority between programs I and P, except for
18 appropriation authority that is otherwise restricted in this act, as
19 follows:

20 (a) Ten days prior to any transfer, the department must submit
21 its request to the office of financial management and the
22 transportation committees of the legislature and consider any
23 concerns raised.

24 (b) The director of the office of financial management must first
25 provide written authorization for such transfer to the department and
26 the transportation committees of the legislature.

27 (c) The department shall submit a report on appropriation
28 authority transferred in the prior fiscal year using this subsection
29 as part of the department's annual budget submittal.

30 (4) The connecting Washington account—state appropriation
31 includes up to \$1,737,009,000 in proceeds from the sale of bonds
32 authorized in RCW 47.10.889.

33 (5) The special category C account—state appropriation includes
34 up to \$118,773,000 in proceeds from the sale of bonds authorized in
35 RCW 47.10.812.

36 (6) The transportation partnership account—state appropriation
37 includes up to \$32,643,000 in proceeds from the sale of bonds
38 authorized in RCW 47.10.873.

1 (7) The appropriations in this section include savings due to
2 anticipated project underruns; however, it is unknown which projects
3 will provide savings. The legislature intends to provide sufficient
4 flexibility for the department to manage to this savings target. To
5 provide this flexibility, the office of financial management may
6 authorize, through an allotment modification, reductions in the
7 amounts that are provided solely for a particular purpose within this
8 section subject to the following conditions and limitations:

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

13 (b) Allotment modifications authorized under this subsection may
14 not result in increased funding for any project beyond the amount
15 provided for that project in the 2023-2025 fiscal biennium in LEAP
16 Transportation Document 2023-2 ALL PROJECTS as developed April 21,
17 2023;

18 (c) Allotment modifications authorized under this subsection
19 apply only to amounts appropriated in this section from the following
20 accounts: Connecting Washington account—state, and move ahead WA
21 account—state; and

22 (d) The office of financial management must provide notice of
23 allotment modifications authorized under this subsection within 10
24 working days to the transportation committees of the legislature. By
25 December 1, 2023, and December 1, 2024, the department must submit a
26 report to the transportation committees of the legislature regarding
27 the actions taken to date under this subsection.

28 (8) The department shall itemize all future requests for the
29 construction of buildings on a project list and submit them through
30 the transportation executive information system as part of the
31 department's annual budget submittal. It is the intent of the
32 legislature that new facility construction must be transparent and
33 not appropriated within larger highway construction projects.

34 (9) The legislature continues to prioritize the replacement of
35 the state's aging infrastructure and recognizes the importance of
36 reusing and recycling construction aggregate and recycled concrete
37 materials in our transportation system. To accomplish Washington
38 state's sustainability goals in transportation and in accordance with
39 RCW 70A.205.700, the legislature reaffirms its determination that
40 recycled concrete aggregate and other transportation building

1 materials are natural resource construction materials that are too
2 valuable to be wasted and landfilled, and are a commodity as defined
3 in WAC 173-350-100.

4 (10) By June 30, 2025, to the extent practicable, the department
5 shall decommission the facilities for the Lacey project engineering
6 office and the Tumwater project engineering office at the end of
7 their lease terms and consolidate the Lacey project engineering
8 office and the Tumwater project engineering office into the
9 department's Olympic regional headquarters.

10 (11) The legislature intends that any savings realized on the
11 following projects will not be attributable to the application of
12 practical design, retired risk, or unused contingency funding for the
13 purposes of RCW 47.01.480:

14 (a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

15 (b) I-82/EB WB On and Off Ramps (L2000123).

16 (12)(a) \$300,000,000 of the coronavirus state fiscal recovery
17 fund—federal appropriation, \$312,653,000 of the motor vehicle account
18 —federal appropriation, \$427,459,000 of the move ahead WA account—
19 state appropriation, and \$1,293,000 of the motor vehicle account—
20 state appropriation are provided solely for the Fish Passage Barrier
21 Removal project (0BI4001) with the intent of fully complying with the
22 federal *U.S. v. Washington* court injunction by 2030.

23 (b) The fish passage barrier removal program, in consultation
24 with the office of innovative partnerships, shall explore
25 opportunities to employ innovative delivery methods to ensure
26 compliance with the court injunction including, but not limited to,
27 public-private partnerships and batched contracts. It is the intent
28 of the legislature that appropriations for this purpose may be used
29 to jointly leverage state and local funds for match requirements in
30 applying for competitive federal aid grants provided in the
31 infrastructure investment and jobs act for removals of fish passage
32 barriers under the national culvert removal, replacement, and
33 restoration program. State funds used for the purpose described in
34 this subsection must not compromise full compliance with the court
35 injunction by 2030.

36 (c) The department shall coordinate with the Brian Abbott fish
37 passage barrier removal board to use a watershed approach by
38 replacing both state and local culverts guided by the principle of
39 providing the greatest fish habitat gain at the earliest time. The

1 department shall deliver high habitat value fish passage barrier
2 corrections that it has identified, guided by the following factors:
3 Opportunity to bundle projects, tribal priorities, ability to
4 leverage investments by others, presence of other barriers, project
5 readiness, culvert conditions, other transportation projects in the
6 area, and transportation impacts. The department and Brian Abbott
7 fish barrier removal board must provide updates on the implementation
8 of the statewide culvert remediation plan to the legislature by
9 November 1, 2023, and June 1, 2024.

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

13 (e) During the 2023-2025 fiscal biennium, the department shall
14 provide reports of the amounts of federal funding received for this
15 project to the governor and transportation committees of the
16 legislature by November 1, 2023, and semiannually thereafter.

17 (13) (a) \$6,000,000 of the move ahead WA account—state
18 appropriation is provided solely for the Stormwater Retrofits and
19 Improvements project (L4000040). It is the intent of the legislature,
20 over the 16-year move ahead WA investment program, to provide
21 \$500,000,000 for this program.

22 (b) The appropriation in this subsection is provided solely for
23 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot
24 (Seattle) project.

25 (c) The funding provided for stormwater retrofits and
26 improvements must enhance stormwater runoff treatment from existing
27 roads and infrastructure with an emphasis on green infrastructure
28 retrofits. Projects must be prioritized based on benefits to salmon
29 recovery and ecosystem health, reducing toxic pollution, addressing
30 health disparities, and cost-effectiveness. The department of
31 transportation must submit progress reports on its efforts to reduce
32 the toxicity of stormwater runoff from existing infrastructure,
33 recommendations for addressing barriers to innovative solutions, and
34 anticipated demand for funding each fiscal biennium.

35 (14) (a) \$35,465,000 of the connecting Washington account—state
36 appropriation is provided solely for the SR 3 Freight Corridor
37 (T30400R) project. The legislature intends to provide a total of
38 \$78,910,000 for this project, including an increase of \$12,000,000 in
39 future biennia to safeguard against inflation and supply/labor
40 interruptions and ensure that:

1 (i) The northern terminus remains at Lake Flora Road and the
2 southern terminus at the intersection of SR 3/SR 302;

3 (ii) Multimodal safety improvements at the southern terminus
4 remain in the project to provide connections to North Mason school
5 district and provide safe routes to schools; and

6 (iii) Intersections on the freight corridor are constructed at
7 Romance Hill and Log Yard road.

8 (b) With respect to right-of-way acquisition and the construction
9 of the SR 3 Freight Corridor project (T30400R), tribal consultation
10 with the Suquamish tribe shall begin at the earliest stage of
11 planning, including without limitation on all funding decisions and
12 funding programs, to provide a government-to-government mechanism for
13 the tribe to evaluate, identify, and expressly notify governmental
14 entities of any potential impacts to tribal cultural resources,
15 archaeological sites, sacred sites, fisheries, or other rights and
16 interests in tribal lands and lands within which the tribe possesses
17 rights reserved or protected by federal treaty, statute, or executive
18 order. The consultation is independent of, and in addition to, any
19 public participation process required under state law, or by a state
20 agency, including the requirements of Executive Order 21-02 related
21 to archaeological and cultural resources, and regardless of whether
22 the agency receives a request for consultation from the Suquamish
23 tribe. Regularly scheduled tribal consultation meetings with the
24 Suquamish tribe shall continue throughout the duration of any funding
25 or program decisions and proposed project approval.

26 (15) \$6,000,000 of the move ahead WA account—state appropriation
27 and \$10,000,000 of the move ahead WA account—federal appropriation
28 are provided solely for the SR 3/Gorst Area - Widening project
29 (L4000017). Tribal consultation with the Suquamish tribe must begin
30 at the earliest stage of planning, including, without limitation, all
31 funding decisions and funding programs, to provide a government-to-
32 government mechanism for the tribe to evaluate, identify, and
33 expressly notify governmental entities of any potential impacts to
34 tribal cultural resources, archaeological sites, sacred sites,
35 fisheries, or other rights and interests in tribal lands and lands
36 within which the tribe possesses rights reserved or protected by
37 federal treaty, statute, or executive order. The consultation is
38 independent of, and in addition to, any public participation process
39 required under state law, or by a state agency, including the
40 requirements of Executive Order 21-02 related to archaeological and

1 cultural resources, and regardless of whether the agency receives a
2 request for consultation from the Suquamish tribe. Regularly
3 scheduled tribal consultation meetings with the Suquamish tribe must
4 continue throughout the duration of any funding program and proposed
5 project approval.

6 (16) (a) \$84,500,000 of the move ahead WA account—federal
7 appropriation, \$137,500,000 of the move ahead WA account—private/
8 local appropriation, and \$53,000,000 of the move ahead WA account—
9 state appropriation are provided solely for the I-5 Columbia river
10 bridge project (L4000054). The legislature finds that the replacement
11 of the I-5 Columbia river bridge is a project of national
12 significance and is critical for the movement of freight. One span is
13 now 105 years old, at risk for collapse in the event of a major
14 earthquake, and no longer satisfies the needs of commerce and travel.
15 Replacing the aging interstate bridge with a modern, seismically
16 resilient, multimodal structure that provides improved mobility for
17 people, goods, and services is a high priority. Therefore, the
18 legislature intends to support the replacement of the I-5 Columbia
19 river bridge with an investment of \$1,000,000,000 over the 16-year
20 move ahead WA investment program.

21 (b) The legislature recognizes the importance of the I-5/Mill
22 Plain Boulevard project (L2000099) and intends to provide funding for
23 reconstruction of the existing interchange in coordination with
24 construction of the Interstate 5 bridge over the Columbia river.

25 (c) The department shall provide regular updates on the status of
26 ongoing coordination with the state of Oregon on any bistate
27 agreements regarding sharing of revenues, use of revenues, and fiscal
28 responsibilities of each state. Prior to finalizing any such
29 agreement, the department shall provide a draft of the agreement to
30 the transportation committees of the legislature for review and
31 input. Additionally, the department shall advise on the status of any
32 bistate agreements to the joint transportation committee beginning in
33 September 2023 and quarterly thereafter until any agreements are
34 finalized.

35 (17) The legislature recognizes the importance of the US-12/Walla
36 Walla Corridor Improvements project (T20900R) and intends to advance
37 funding to provide matching funds if competitive federal funding is
38 awarded for the final remaining four-lane section between Wallula and
39 Nine Mile Hill. The department, in consultation with local

1 governments in the vicinity, must pursue any federal funding
2 available.

3 (18) \$2,642,000 of the move ahead WA account—state appropriation
4 is provided solely for the US 101/Simdars Bypass project (L4000013).

5 (19) \$570,842,000 of the connecting Washington account—state
6 appropriation, \$155,000 of the multimodal transportation account—
7 state appropriation, \$26,537,000 of the motor vehicle account—
8 private/local appropriation, \$200,800,000 of the move ahead WA
9 account—federal appropriation, \$68,191,000 of the move ahead WA
10 account—state appropriation, and \$6,980,000 of the motor vehicle
11 account—federal appropriation are provided solely for the SR 167/SR
12 509 Puget Sound Gateway project (M00600R).

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

15 (b) In making budget allocations to the Puget Sound Gateway
16 project, the department shall implement the project's construction as
17 a single corridor investment. The department shall continue to
18 collaborate with the affected stakeholders as it implements the
19 corridor construction and implementation plan for state route number
20 167 and state route number 509. Specific funding allocations must be
21 based on where and when specific project segments are ready for
22 construction to move forward and investments can be best optimized
23 for timely project completion. Emphasis must be placed on avoiding
24 gaps in fund expenditures for either project.

25 (c) The entire multimodal transportation account—state
26 appropriation in this subsection is for:

27 (i) The design phase of the Puyallup to Tacoma multiuse trail
28 along the state route number 167 right-of-way acquired for the
29 project to connect a network of new and existing trails from Mount
30 Rainier to Point Defiance Park; and

31 (ii) Segment 2 of the state route number 167 completion project
32 shared-use path to provide connections to the interchange of state
33 route number 167 at 54th to the intersection of state route number
34 509 and Taylor Way in Tacoma.

35 (20) (a) \$394,963,000 of the connecting Washington account—state
36 appropriation, \$400,000 of the state route number 520 corridor
37 account—state appropriation, and \$4,496,000 of the motor vehicle
38 account—private/local appropriation are provided solely for the SR
39 520 Seattle Corridor Improvements - West End project (M00400R).

1 (b) Upon completion of the Montlake Phase of the West End project
2 (current anticipated contract completion of 2023), the department
3 shall sell that portion of the property not used for permanent
4 transportation improvements and initiate a process to convey that
5 surplus property to a subsequent owner.

6 (c) Of the amounts provided in this subsection, \$400,000 of the
7 state route number 520 corridor account—state appropriation is
8 provided solely for noise mitigation activities. It is the intent of
9 the legislature to provide an additional \$600,000 for noise
10 mitigation activities.

11 (21) \$450,000 of the motor vehicle account—state appropriation is
12 provided solely for the SR 900 Safety Improvements project
13 (L2021118). The department must: (a) Work in collaboration with King
14 county and the Skyway coalition to align community assets,
15 transportation infrastructure needs, and initial design for safety
16 improvements along state route number 900; and (b) work with the
17 Skyway coalition to lead community planning engagement and active
18 transportation activities.

19 (22) \$25,000,000 of the motor vehicle account—federal
20 appropriation is provided solely for a federal fund exchange pilot
21 program. The pilot program must allow exchanges of federal surface
22 transportation block grant population funding and state funds at an
23 exchange rate of 95 cents in state funds per \$1.00 in federal funds.
24 The projects receiving the exchanged federal funds must adhere to all
25 federal requirements, including the applicable disadvantaged business
26 enterprise goals. The entirety of the appropriation in this
27 subsection must be held in unallotted status until surface
28 transportation block grant population funding has been offered to the
29 state, and the department determines that a federalized project or
30 projects funded in this section is eligible to spend the surface
31 transportation block grant population funding. \$22,500,000 from
32 existing state appropriations identified elsewhere within this
33 section are available to be used as part of the exchange. Upon
34 determination that a project or projects funded in this section is
35 eligible to spend the offered surface transportation block grant
36 population funding, state funds appropriated in this section for the
37 eligible state project or projects in an amount equal to 100 percent
38 of the offered surface transportation block grant population funding
39 must be placed in unallotted status.

1 (23) \$5,000,000 of the motor vehicle account—state appropriation,
 2 \$5,000,000 of the connecting Washington account—state appropriation,
 3 and \$5,000,000 of the move ahead WA account—state appropriation are
 4 provided solely for the SR 522/Paradise Lk Rd Interchange & Widening
 5 on SR 522 (Design/Engineering) project (NPARADI), specifically for
 6 design of, preliminary engineering, and right-of-way acquisition for
 7 the interchange and widening as a single project. The department must
 8 consider reserving portions of state route number 522, including
 9 designated lanes or ramps, for the exclusive or preferential use of
 10 public transportation vehicles, privately owned buses, motorcycles,
 11 private motor vehicles carrying not less than a specified number of
 12 passengers, or private transportation provider vehicles pursuant to
 13 RCW 47.52.025.

14 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
 15 **PRESERVATION—PROGRAM P**

16	Move Ahead WA Account—State Appropriation.	\$13,291,000
17	Recreational Vehicle Account—State Appropriation.	\$793,000
18	Transportation 2003 Account (Nickel Account)—State	
19	Appropriation.	\$48,759,000
20	Motor Vehicle Account—State Appropriation.	\$135,073,000
21	Motor Vehicle Account—Federal Appropriation.	\$534,350,000
22	Motor Vehicle Account—Private/Local Appropriation.	\$12,000,000
23	Connecting Washington Account—State Appropriation.	\$37,078,000
24	State Route Number 520 Corridor Account—State	
25	Appropriation.	\$5,481,000
26	Tacoma Narrows Toll Bridge Account—State	
27	Appropriation.	\$10,892,000
28	Alaskan Way Viaduct Replacement Project Account—	
29	State Appropriation.	\$12,000
30	Interstate 405 and State Route Number 167 Express	
31	Toll Lanes Account—State Appropriation.	\$27,026,000
32	Transportation Partnership Account—State	
33	Appropriation.	\$10,000,000
34	TOTAL APPROPRIATION.	\$834,755,000

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

1 (1) Except as provided otherwise in this section, the entire
2 connecting Washington account—state appropriation, the entire move
3 ahead WA account—federal appropriation, the entire move ahead WA
4 account—state appropriation, and the entire transportation
5 partnership account—state appropriation are provided solely for the
6 projects and activities as listed by fund, project, and amount in
7 LEAP Transportation Document 2023-1 as developed April 21, 2023,
8 Program - Highway Preservation Program (P). However, limited
9 transfers of specific line-item project appropriations may occur
10 between projects for those amounts listed subject to the conditions
11 and limitations in section 601 of this act.

12 (2) Except as provided otherwise in this section, the entire
13 motor vehicle account—state appropriation and motor vehicle account—
14 federal appropriation are provided solely for the projects and
15 activities listed in LEAP Transportation Document 2023-2 ALL PROJECTS
16 as developed April 21, 2023, Program - Highway Preservation Program
17 (P). Any federal funds gained through efficiencies, adjustments to
18 the federal funds forecast, or the federal funds redistribution
19 process must then be applied to highway and bridge preservation
20 activities.

21 (3) Within the motor vehicle account—state appropriation and
22 motor vehicle account—federal appropriation, the department may
23 transfer appropriation authority between programs I and P, except for
24 appropriation authority that is otherwise restricted in this act, as
25 follows:

26 (a) Ten days prior to any transfer, the department must submit
27 its request to the office of financial management and the
28 transportation committees of the legislature and consider any
29 concerns raised.

30 (b) The director of the office of financial management must first
31 provide written authorization for such transfer to the department and
32 the transportation committees of the legislature.

33 (c) The department shall submit a report on appropriation
34 authority transferred in the prior fiscal year using this subsection
35 as part of the department's annual budget submittal.

36 (4) The transportation partnership account—state appropriation
37 includes up to \$10,000,000 in proceeds from the sale of bonds
38 authorized in RCW 47.10.873.

1 (5) \$22,000,000 of the motor vehicle account—state appropriation
2 is provided solely for extraordinary costs incurred from litigation
3 awards, settlements, or dispute mitigation activities not eligible
4 for funding from the self-insurance fund (L2000290). The amount
5 provided in this subsection must be held in unallotted status until
6 the department submits a request to the office of financial
7 management that includes documentation detailing litigation-related
8 expenses. The office of financial management may release the funds
9 only when it determines that all other funds designated for
10 litigation awards, settlements, and dispute mitigation activities
11 have been exhausted.

12 (6) Within the connecting Washington account—state appropriation,
13 the department may transfer funds from Highway System Preservation
14 (L1100071) to other preservation projects listed in the LEAP
15 transportation document identified in subsection (1) of this section,
16 if it is determined necessary for completion of these high priority
17 preservation projects. The department's next budget submittal after
18 using this subsection must appropriately reflect the transfer.

19 (7) By June 30, 2025, to the extent practicable, the department
20 shall decommission the facilities for the Lacey project engineering
21 office and the Tumwater project engineering office at the end of
22 their lease terms and consolidate the Lacey project engineering
23 office and the Tumwater project engineering office into the
24 department's Olympic regional headquarters.

25 (8) The appropriations in this section include funding for
26 starting planning, engineering, and construction of the Elwha River
27 bridge replacement. To the greatest extent practicable, the
28 department shall maintain public access on the existing route.

29 (9) \$25,000,000 of the motor vehicle account—federal
30 appropriation is provided solely for a federal fund exchange pilot
31 program. The pilot program must allow exchanges of federal surface
32 transportation block grant population funding and state funds at an
33 exchange rate of 95 cents in state funds per \$1.00 in federal funds.
34 The projects receiving the exchanged federal funds must adhere to all
35 federal requirements, including the applicable disadvantaged business
36 enterprise goals. The entirety of the appropriation in this
37 subsection must be held in unallotted status until surface
38 transportation block grant population funding has been offered to the
39 state and the department determines that a federalized project or

1 projects funded in this section is eligible to spend the surface
2 transportation block grant population funding. \$22,500,000 from
3 existing state appropriations identified elsewhere within this
4 section are available to be used as part of the exchange. Upon
5 determination that a project or projects funded in this section is
6 eligible to spend the offered surface transportation block grant
7 population funding, state funds appropriated in this section for the
8 eligible state project or projects in an amount equal to 100 percent
9 of the offered surface transportation block grant population funding
10 must be placed in unallotted status.

11 (10) \$21,000 of motor vehicle account—state appropriation is
12 provided solely for the implementation of chapter . . . (House Bill
13 No. 1004), Laws of 2023 (bridge jumping signs). If chapter . . .
14 (House Bill No. 1004), Laws of 2023 is not enacted by June 30, 2023,
15 the amount provided in this subsection lapses.

16 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL**

18	Motor Vehicle Account—State Appropriation.	\$9,738,000
19	Motor Vehicle Account—Federal Appropriation.	\$5,100,000
20	Motor Vehicle Account—Private/Local Appropriation.	\$500,000
21	TOTAL APPROPRIATION.	\$15,338,000

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

24 (1) \$4,918,000 of the motor vehicle account—state appropriation
25 is provided solely for Programmatic Investment for Traffic Operations
26 Capital projects (000005Q). By December 15th of each odd-numbered
27 year, the department shall provide a report to the legislature
28 listing all traffic operations capital project investments completed
29 in the prior fiscal biennium.

30 (2) \$3,080,000 of the motor vehicle account—state appropriation
31 is provided solely to construct pedestrian signals at nine locations
32 on state route number 7 from 124th Street South to 189th Street South
33 (0000YYY).

34 (3) \$1,463,000 of the motor vehicle account—state appropriation
35 is provided solely for the replacement of 22 existing traffic cameras
36 and installation of 10 new traffic cameras, including five pole
37 installation sites, on the Interstate 90 corridor between mileposts
38 34 and 82 (L2021144). The department shall consult with news media

1 organizations to explore options to allow such organizations access
2 to traffic camera feeds.

3 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

5	Carbon Emissions Reduction Account—State	
6	Appropriation.	\$74,027,000
7	Move Ahead WA Account—State Appropriation.	\$17,114,000
8	Puget Sound Capital Construction Account—State	
9	Appropriation.	\$341,969,000
10	Puget Sound Capital Construction Account—Federal	
11	Appropriation.	\$33,698,000
12	Puget Sound Capital Construction Account—	
13	Private/Local Appropriation.	\$1,081,000
14	Transportation Partnership Account—State	
15	Appropriation.	\$7,442,000
16	Connecting Washington Account—State Appropriation.	\$10,809,000
17	Capital Vessel Replacement Account—State	
18	Appropriation.	\$46,818,000
19	TOTAL APPROPRIATION.	\$532,958,000

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

22 (1) Except as provided otherwise in this section, the entire
23 appropriations in this section are provided solely for the projects
24 and activities as listed in LEAP Transportation Document 2023-2 ALL
25 PROJECTS as developed April 21, 2023, Program - Washington State
26 Ferries Capital Program (W).

27 (2) \$5,000,000 of the Puget Sound capital construction account—
28 state appropriation is provided solely for emergency capital repair
29 costs (999910K). Funds may only be spent after approval by the office
30 of financial management.

31 (3) \$46,818,000 of the capital vessel replacement account—state
32 appropriation is provided solely for the acquisition of a 144-car
33 hybrid-electric vessel (L2000329). The amounts provided in this
34 subsection are contingent upon the enactment of chapter . . . (Senate
35 Bill No. 5760 or Engrossed House Bill No. 1846), Laws of 2023.

36 (4) The legislature intends that funding will be provided in the
37 2025-2027 fiscal biennium for the Future Hybrid Electric Ferry Class
38 Pre-Design study (L2021131) to advance procurement of a new class of

1 vessel that will account for changes in technology, staffing, and
2 system needs. The legislature intends that part of the predesign
3 study include a review of the benefits and costs of constructing all
4 future new vessels based on the same design. The review may also
5 compare and contrast the benefits and costs of a 144-vehicle capacity
6 vessel with a 124-vehicle capacity vessel.

7 (5) \$8,032,000 of the Puget Sound capital construction account—
8 state appropriation is provided solely for modernization of the
9 ticketing and reservation system (990052C). Of this amount,
10 \$3,032,000 must be held in unallotted status until Washington state
11 ferries has consulted with the office of the chief information
12 officer on the project scope and integration capabilities of the
13 reservation system with existing Good to Go! and ORCA next generation
14 products, and reported results to the office of financial management
15 and the transportation committees of the legislature.

16 (6) \$125,000 of the Puget Sound capital construction account—
17 state appropriation and \$125,000 of the Puget sound capital
18 construction account—federal appropriation are provided solely for
19 development of a terminal wait times information system (998609A).
20 Washington state ferries must consult with the office of the chief
21 information officer on a technology solution for automated vehicle
22 detection, and report the project scope, along with office of the
23 chief information officer recommendations, to the office of financial
24 management and the transportation committees of the legislature by
25 December 1, 2024.

26 (7) The transportation partnership account—state appropriation
27 includes up to \$7,195,000 in proceeds from the sale of bonds
28 authorized in RCW 47.10.873.

29 (8) For the purposes of ferry and terminal electrification, the
30 department must apply to the department of ecology for additional
31 competitive grant funds available from Volkswagen settlement funds,
32 and report on the status of the grant application by December 1,
33 2023.

34 (9) For the 2023-2025 fiscal biennium, the marine division shall
35 provide to the office of financial management and the transportation
36 committees of the legislature a report for ferry capital projects in
37 a manner consistent with past practices as specified in section 308,
38 chapter 186, Laws of 2022.

1 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **RAIL—PROGRAM Y—CAPITAL**

3 Carbon Emissions Reduction Account—State

4 Appropriation. \$104,300,000

5 Essential Rail Assistance Account—State

6 Appropriation. \$676,000

7 Move Ahead WA Flexible Account—State Appropriation. . . . \$35,000,000

8 Transportation Infrastructure Account—State

9 Appropriation. \$10,369,000

10 Multimodal Transportation Account—State

11 Appropriation. \$63,334,000

12 Multimodal Transportation Account—Federal

13 Appropriation. \$18,882,000

14 TOTAL APPROPRIATION. \$232,561,000

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

17 (1) Except as provided otherwise in this section, the entire
18 appropriations in this section are provided solely for the projects
19 and activities as listed by project and amount in LEAP Transportation
20 Document 2023-2 ALL PROJECTS as developed April 21, 2023, Program -
21 Rail Program (Y).

22 (2)(a) \$2,030,000 of the transportation infrastructure account—
23 state appropriation is provided solely for new low-interest loans
24 approved by the department through the freight rail investment bank
25 (FRIB) program. The department shall issue FRIB program loans with a
26 repayment period of no more than 15 years, and charge only so much
27 interest as is necessary to recoup the department's costs to
28 administer the loans. The department shall report annually to the
29 transportation committees of the legislature and the office of
30 financial management on all FRIB loans issued.

31 (b) \$7,970,000 of the transportation infrastructure account—state
32 appropriation is provided solely for new FRIB program loans
33 recommended by the department for 2024 supplemental transportation
34 appropriations. The department shall submit a prioritized list for
35 any loans recommended to the office of financial management and the
36 transportation committees of the legislature by November 15, 2023.

37 (c) The department may change the terms of existing loans in the
38 essential rail assistance account for repayment of loans, including
39 the repayment schedule and rate of interest, for a period of up to 15

1 years for any recipient with a total loan value in the program of
2 over 10 percent as of June 30, 2023.

3 (3) \$7,566,836 of the multimodal transportation account—state
4 appropriation is provided solely for new statewide emergent freight
5 rail assistance projects identified in the LEAP transportation
6 document referenced in subsection (1) of this section.

7 (4) \$369,000 of the transportation infrastructure account—state
8 appropriation and \$1,100,000 of the multimodal transportation account
9 —state appropriation are provided solely for final reimbursement to
10 Highline Grain, LLC for approved work completed on Palouse River and
11 Coulee City (PCC) railroad track in Spokane county between the BNSF
12 Railway Interchange at Cheney and Geiger Junction and must be
13 administered in a manner consistent with freight rail assistance
14 program projects.

15 (5) The department shall issue a call for projects for the
16 freight rail assistance program, and shall evaluate the applications
17 in a manner consistent with past practices as specified in section
18 309, chapter 367, Laws of 2011. By November 15, 2024, the department
19 shall submit a prioritized list of recommended projects to the office
20 of financial management and the transportation committees of the
21 legislature.

22 (6) \$50,000,000 of the carbon emissions reduction account—state
23 appropriation is provided solely for state match contributions to
24 support the department's application for federal grant opportunities
25 for a new ultra high-speed ground transportation corridor. These
26 funds are to remain in unallotted status and are available only upon
27 award of federal funds. The department must provide periodic grant
28 application updates to the transportation committees of the
29 legislature, as well as anticipated state match estimates for
30 successful grants.

31 (7) \$33,500,000 of the move ahead WA flexible account—state
32 appropriation is provided solely for rehabilitation of the Palouse
33 River and Coulee City Railroad (L4000079). Up to \$433,000 of the
34 amount in this subsection may be used for management and oversight of
35 operation and maintenance activities.

36 (8) \$15,000,000 of the multimodal transportation account—federal
37 appropriation is provided solely for the rehabilitation of the Salmon
38 Bay drawbridge (752010A) to ensure the efficient movement of freight
39 and passenger trains.

1 (9) \$6,300,000 of the carbon emissions reduction account—state
2 appropriation is provided solely to fund a zero emission drayage
3 truck demonstration project (L1000324) at Northwest Seaport Alliance
4 facilities.

5 (10) \$14,000,000 of the carbon emissions reduction account—state
6 appropriation is provided solely to fund a zero emission shore power
7 infrastructure demonstration project at Northwest Seaport Alliance
8 facilities (L1000325). Local funds sufficient to fully fund this
9 project must be contributed to the project, and any agreements
10 required for the project must be secured.

11 (11) \$5,000,000 of the carbon emissions reduction account—state
12 appropriation is provided solely to fund the replacement of two
13 Tacoma rail diesel-electric switcher locomotives with zero emission
14 battery-electric switcher locomotives and to install on-site charging
15 equipment at a Tacoma rail facility (L1000327). Local funds
16 sufficient to fully fund this project must be contributed to the
17 project, and any agreements required for the project must be secured.

18 (12) \$150,000 of the multimodal transportation account—state
19 appropriation is provided solely for the application of durable
20 markings along state route number 906 to create up to 20 parking
21 spaces for larger vehicles, including trucks.

22 (13) \$26,500,000 of the carbon emissions reduction account—state
23 appropriation is provided solely for port electrification competitive
24 grants (L2021182). To be eligible to receive state funds under this
25 section, a port must first adopt a policy that requires vessels that
26 dock at the port facility to use shore power if such vessel is
27 capable of using such power and when such power is available at the
28 port facility.

29 (14) \$2,000,000 of the carbon emissions reduction account—state
30 appropriation is provided solely for port electrification at the port
31 of Bremerton (L1000337), which may include the purchase and
32 installation of zero emission port shore power systems and other zero
33 emission infrastructure, equipment, and technology.

34 (15) \$500,000 of the carbon emissions reduction account—state
35 appropriation is provided solely for port electrification at the port
36 of Anacortes (L1000338), which may include the purchase and
37 installation of zero emission port shore power systems and other zero
38 emission infrastructure, equipment, and technology.

1 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—**

2 **LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

3 Carbon Emissions Reduction Account—State

4 Appropriation. \$21,000,000

5 Climate Active Transportation Account—State

6 Appropriation. \$157,463,000

7 Freight Mobility Investment Account—State

8 Appropriation. \$21,098,000

9 Freight Mobility Multimodal Account—State

10 Appropriation. \$22,728,000

11 Highway Infrastructure Account—State Appropriation. \$793,000

12 Highway Infrastructure Account—Federal Appropriation

13 \$1,600,000

14 Move Ahead WA Account—State Appropriation. \$106,707,000

15 Move Ahead WA Account—Federal Appropriation. \$10,000,000

16 Move Ahead WA Flexible Account—State Appropriation. \$29,000,000

17 Transportation Partnership Account—State

18 Appropriation. \$500,000

19 Motor Vehicle Account—State Appropriation. \$36,785,000

20 Motor Vehicle Account—Federal Appropriation. \$103,553,000

21 Connecting Washington Account—State Appropriation. \$99,032,000

22 Multimodal Transportation Account—State

23 Appropriation. \$73,818,000

24 TOTAL APPROPRIATION. \$684,077,000

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 2023-2 ALL PROJECTS as developed April 21, 2023, Program -
31 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) \$34,673,000 of the multimodal transportation account—state
36 appropriation and \$37,563,000 of the climate active transportation
37 account—state appropriation are provided solely for pedestrian and
38 bicycle safety program projects (L2000188 and L1000335). Of the

1 amount of climate active transportation account funds appropriated in
2 this subsection, up to one percent may be used for program
3 administration and staffing.

4 (b) \$19,137,000 of the motor vehicle account—federal
5 appropriation, \$38,915,000 of the climate active transportation
6 account—state appropriation, and \$12,844,000 of the multimodal
7 transportation account—state appropriation are provided solely for
8 safe routes to school projects (L2000189 and L1000334). Of the amount
9 of climate active transportation account funds appropriated in this
10 subsection, up to one percent may be used for program administration
11 and staffing.

12 (c) For future rounds of grant selection, the department must
13 reevaluate the criteria to increase geographic diversity of
14 jurisdictions consistent with the requirements of the healthy
15 environment for all (HEAL) act.

16 (3) The department shall submit a report to the transportation
17 committees of the legislature by December 1, 2023, and December 1,
18 2024, on the status of projects funded as part of the pedestrian
19 safety/safe routes to school grant program and the Sandy Williams
20 connecting communities grant program.

21 (4) \$6,875,000 of the multimodal transportation account—state
22 appropriation is provided solely for connecting Washington bicycle
23 and pedestrian projects listed in the LEAP transportation document
24 referenced in subsection (1) of this section.

25 (5) \$36,640,000 of the motor vehicle account—federal
26 appropriation is provided solely for acceleration of local
27 preservation projects that ensure the reliable movement of freight on
28 the national highway freight system (G2000100). The department will
29 select projects as part of its update of the state freight plan, in
30 consultation with the freight mobility strategic investment board and
31 other stakeholders.

32 (6) \$23,750,000 of the motor vehicle account—state appropriation
33 is provided solely for a federal fund exchange pilot program. The
34 pilot program will allow exchanges of federal surface transportation
35 block grant population funding and state funds at an exchange rate of
36 95 cents in state funds per \$1.00 in federal funds. The entirety of
37 the appropriation in this subsection must be held in unallotted
38 status until: Surface transportation block grant population funding
39 has been offered to the state, the department determines that a

1 federalized project or projects funded in section 305 or 306 of this
2 act is eligible to spend the surface transportation block grant
3 population funding, and state funds appropriated in section 305 or
4 306 for the eligible state project or projects in an amount equal to
5 100 percent of the offered surface transportation block grant
6 population funding have been placed in unallotted status. A report on
7 the effectiveness of the exchange program, the total estimated cost
8 of program administration, and recommendations for continuing the
9 pilot program is due to the governor and transportation committees of
10 the legislature by December 1, 2024.

11 (7) \$128,400,000 of the move ahead WA account—state appropriation
12 and \$19,500,000 of the move ahead WA flexible account—state
13 appropriation are provided solely for new move ahead WA road and
14 highway projects listed in LEAP Transportation Document 2023-2 ALL
15 PROJECTS as developed April 21, 2023, Program - Local Programs
16 Program (Z).

17 (a) For projects funded in this subsection, the department
18 expects to have substantial reappropriations for the 2023-2025 fiscal
19 biennium, the department may, on a pilot basis, apply funding from a
20 project with an appropriation that is unable to be used in the
21 2023-2025 fiscal biennium to advance one or more of the projects
22 listed in LEAP Transportation Document 2023-2 ALL PROJECTS as
23 developed April 21, 2023, Program - Local Programs Program (Z),
24 prioritizing projects first by project readiness.

25 (i) In instances when projects listed in the LEAP transportation
26 documents referenced in (a) of this subsection are no longer viable
27 or have been completed, the department may recommend in its next
28 budget submittal alternative project proposals from the local
29 jurisdictions if the project is similar in type and scope and
30 consistent with limitations of certain funds provided. In the event
31 that the listed project has been completed the local jurisdictions
32 may, rather than submitting an alternative project, instead be
33 reimbursed in the year in which it was scheduled for documented costs
34 incurred implementing the listed project, not in excess of the amount
35 awarded from the funding program.

36 (ii) At least 10 business days before advancing or swapping a
37 project pursuant to this subsection, the department must notify the
38 office of financial management and the transportation committees of
39 the legislature. The advancement of a project may not hinder the

1 delivery of the projects for which the reappropriations are necessary
2 for the 2023-2025 fiscal biennium.

3 (b) Of the amounts provided in this subsection, \$21,000,000 of
4 the move ahead WA account—state appropriation is provided solely for
5 three roundabouts to be constructed on state route number 507 in
6 partnership with local authorities. The roundabout at Vail is with
7 Thurston county, the roundabout at Bald Hills is with the city of
8 Yelm, and the roundabout at state route number 702 is with Pierce
9 county. The department is to work cooperatively with each local
10 jurisdiction to construct these facilities within department rights-
11 of-way. The department must provide all project predesign and design
12 information developed to date to the local jurisdictions and have a
13 project implementation agreement in place with each local
14 jurisdiction within 180 calendar days of the effective date of this
15 act. The implementation agreement may provide full control for the
16 local authority to construct the project. Once the roundabouts are
17 completed, the operations and maintenance of the roundabouts are the
18 responsibility of the department.

19 (8) \$39,185,000 of the climate active transportation account—
20 state appropriation and \$3,000,000 of the move ahead WA flexible
21 account—state appropriation are provided solely for move ahead WA
22 pedestrian and bike projects listed in LEAP Transportation Document
23 2023-2 ALL PROJECTS as developed April 21, 2023, Program - Local
24 Programs Program (Z). For projects funded in this subsection, if the
25 department expects to have substantial reappropriations for the
26 2023-2025 fiscal biennium, the department may, on a pilot basis,
27 apply funding from a project with an appropriation that is unable to
28 be used in the 2023-2025 fiscal biennium to advance one or more of
29 the projects listed in LEAP Transportation Document 2023-2 ALL
30 PROJECTS as developed April 21, 2023, Program - Local Programs
31 Program (Z), prioritizing projects first by tier then by project
32 readiness.

33 (a) In instances when projects listed in the LEAP transportation
34 document referenced in this subsection (8) of this section are no
35 longer viable or have been completed, the department may recommend in
36 its next budget submittal alternative project proposals from the
37 local jurisdictions if the project is similar in type and scope and
38 consistent with limitations of certain funds provided. In the event
39 that the listed project has been completed the local jurisdictions

1 may, rather than submitting an alternative project, instead be
2 reimbursed in the year in which it was scheduled for documented costs
3 incurred implementing the listed project, not in excess of the amount
4 awarded from the funding program.

5 (b) At least 10 business days before advancing or swapping a
6 project pursuant to this subsection, the department must notify the
7 office of financial management and the transportation committees of
8 the legislature. The advancement of a project may not hinder the
9 delivery of the projects for which the reappropriations are necessary
10 for the 2023-2025 fiscal biennium.

11 (9) \$16,800,000 of the climate active transportation account—
12 state appropriation is provided solely for the statewide school-based
13 bicycle education grant program (L1000309). The department may
14 partner with a statewide nonprofit to deliver programs.

15 (10) \$25,000,000 of the climate active transportation account—
16 state appropriation is provided solely for the Sandy Williams
17 connecting communities pilot program (L1000308) to deliver projects
18 to reconnect communities that have been bifurcated by state highways.
19 Priority must be given to historically marginalized or overburdened
20 communities. The department may consult with the Cooper Jones active
21 transportation safety council to identify geographic locations where
22 there are high incidences of serious injuries and fatalities of
23 active transportation users among vulnerable populations.

24 (11) \$14,000,000 of the carbon emissions reduction account—state
25 appropriation is provided solely for the Guemes Ferry Boat
26 Replacement project (L4000124).

27 (12) \$6,500,000 of the move ahead WA flexible account—state
28 appropriation is provided solely for development of an applied
29 sustainable aviation evaluation center (L2021135). Snohomish county,
30 in partnership with Washington State University, shall plan and
31 establish facilities to evaluate, qualify or certify, and research
32 technologies that can minimize the impact of aviation on human health
33 and the environment. Funds may be used for, but are not limited to,
34 planning, construction, and land acquisition for sustainable aviation
35 fuel (SAF) qualification testing (ASTM D4054), research on the impact
36 of SAF on the environment and human health, and SAF storage for the
37 purpose of advancing sustainable aviation. At a minimum, three
38 sustainable aviation platforms must be considered:

39 (a) Sustainable aviation fuel (SAF);

1 (b) Hydrogen; and

2 (c) Battery electric energy storage mechanisms.

3 (13) The legislature intends to fund the Ballard and Magnolia
4 Bridge project (L4000123) and the Aurora Avenue North Safety
5 Improvements project (L4000154), as described in section 911(18) and
6 (19) of this act.

7 (14) \$200,000 of the multimodal transportation account—state
8 appropriation is provided solely for the Seattle office of planning
9 and community development to update and add to the 2020 I-5 Lid
10 Feasibility Study with additional test cases with ramp changes and
11 removals in downtown Seattle and alternative assumptions with regards
12 to parking, expansion of Freeway Park, affordable housing, and
13 commercial real estate (L2021140). The Seattle office of planning and
14 community development shall conduct ongoing community engagement with
15 underrepresented constituencies to support the technical work of this
16 study and raise public awareness of opportunities of I-5 lids. Focus
17 should be given to low-income households living and working in the
18 I-5 lid study areas in central Seattle.

19 (15) \$1,000,000 of the multimodal transportation account—state
20 appropriation is provided solely for the department to award grants
21 to local jurisdictions to implement network-wide traffic conflict
22 screening programs using video analytics in controlled intersections
23 with a disproportionate number of traffic violations and injuries to
24 active transportation users (L2021149). Grants must be awarded
25 proportionally across the state and include controlled intersections
26 in both urban and rural environments and along state highways and
27 county roads. Grant recipients must report back to the department all
28 traffic violation and active transportation facility data acquired
29 during the grant period and provide the department with appropriate
30 next steps for the state and the local jurisdiction to improve
31 traffic safety for active transportation users in such intersections.
32 The department must report such findings and recommendations to the
33 transportation committees of the legislature by December 1, 2024.

34 (16)(a)(i) \$5,000,000 of the carbon emissions reduction account—
35 state appropriation is provided solely for the department to
36 establish a program for providing rebates to qualifying persons who
37 purchase e-bikes and qualifying equipment and services from a
38 qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts

1 as described under (a)(iii)(A) of this subsection, and \$2,000,000 is
2 for rebate amounts as described under (a)(iii)(B) of this subsection.

3 (ii) To qualify for and use the rebate under this subsection, a
4 person must be a resident of Washington state and purchase an e-bike
5 and qualifying equipment and services, if any, from a qualifying
6 retailer in this state. Qualifying equipment and services must be
7 purchased as part of the same transaction as the e-bike.

8 (iii)(A) For persons who are at least 16 years of age and reside
9 in households with incomes at or below 80 percent of the county area
10 median income, the amount of the rebate is up to \$1,200 on the sale
11 of an e-bike and any qualifying equipment and services.

12 (B) For all other persons who are at least 16 years of age, the
13 amount of the rebate is up to \$300 on the sale of an e-bike and any
14 qualifying equipment and services.

15 (C) No more than one rebate may be awarded per household.

16 (iv)(A) The department must establish application procedures for
17 e-bike retailers to participate in the rebate program, and
18 application and award procedures for applicants to participate in the
19 program. If an applicant qualifies for a rebate amount and there is
20 sufficient funds to award the applicant with the appropriate rebate
21 amount, the department must provide the qualifying individual the
22 rebate amount in a format that can be redeemed at the time of
23 purchase at a qualifying retailer.

24 (B) An applicant must provide contact information, including a
25 physical address, email address, and phone number, and demographic
26 information, including the applicant's age, gender, race, and
27 ethnicity, to the department on a form provided by the department at
28 the time of applying for the rebate. The department may share or
29 provide access to such information with the University of Washington
30 to provide the University of Washington an opportunity to ask program
31 applicants and recipients to fill out a survey collecting information
32 only to the extent to inform its report described under (d) of this
33 subsection.

34 (v) A qualifying retailer must register with the department
35 before participating in the rebate program. A qualifying retailer
36 must:

37 (A) Verify the identity of the qualifying individual at the time
38 of purchase; and

39 (B) Calculate and apply the rebate at the time of purchase.

1 (vi) The department must reimburse a qualifying retailer that
2 accepts a rebate from a qualifying individual no later than 30 days
3 after the rebate is redeemed.

4 (vii) For purposes of this subsection (16) (a):

5 (A) "E-bike" means an electric assisted bicycle as defined in RCW
6 46.04.169, but does not include mountain bikes.

7 (B) "Qualifying equipment and services" means a bicycle helmet,
8 safety vest, bicycle light, or bicycle lock, and any maintenance or
9 other services agreed upon by the qualifying retailer and qualifying
10 individual at the time of purchase.

11 (C) "Qualifying retailer" means a retail business establishment
12 with one or more physical retail locations in this state that
13 provides on-site e-bike sales, service, and repair and has registered
14 with the department to participate in the rebate program established
15 under this subsection.

16 (b) For fiscal year 2025, \$2,000,000 of the carbon emissions
17 reduction account—state appropriation is provided solely for the
18 department to establish an e-bike lending library and ownership grant
19 program. The department may accept grant applications from other
20 state entities, local governments, and tribes that administer or plan
21 to administer an e-bike lending library or ownership program for
22 their employees for commute trip reduction purposes. The department
23 may also accept grant applications from nonprofit organizations or
24 tribal governments that serve persons who are low-income or reside in
25 overburdened communities and that administer or plan to administer an
26 e-bike lending library or ownership program for qualifying persons.
27 Grant recipients must report program information and participation
28 data to the University of Washington to inform its report described
29 under (d) of this subsection.

30 (c) It is the intent of the legislature that funding provided in
31 (a) and (b) of this subsection continue to be appropriated in the
32 2025-2027 and 2027-2029 fiscal biennia.

33 (d) Of the amounts provided in this subsection (16), \$90,000 is
34 for the department to contract with the University of Washington's
35 sustainable transportation lab to publish a general policy brief that
36 provides innovative e-bike rebate and lending library or ownership
37 grant program models and recommendations, a report on survey results
38 based on data and demographic information collected under the e-bike
39 rebate program established in (a) of this subsection, and a report on
40 program information and data collected under the e-bike lending

1 library and ownership grant program established in (b) of this
2 subsection. An initial brief and report must be submitted to the
3 transportation committees of the legislature by July 1, 2024, with
4 the final policy brief and report due to the transportation
5 committees of the legislature by July 1, 2025.

6 (e) The department may not collect more than five percent of
7 appropriated amounts to administer the programs under (a) and (b) of
8 this subsection.

9 (17) \$21,098,000 of the freight mobility investment account—state
10 appropriation and \$22,728,000 of the freight mobility multimodal
11 account—state appropriation are provided solely for freight mobility
12 strategic investment board projects listed in the LEAP transportation
13 document referenced in subsection (1) of this section.

14 (18) \$4,150,000 of the motor vehicle account—state appropriation
15 is provided solely for matching funds for federal funds to
16 reconstruct Grant county and Adams county bridges as part of the
17 Odessa groundwater replacement program (L1000322).

18 (19) \$9,240,000 of the connecting Washington account—state
19 appropriation is provided solely for the Aberdeen US 12 Highway-Rail
20 Separation project (L1000331).

21 (20) \$750,000 of the motor vehicle account—state appropriation is
22 provided solely for the Grady Way overpass at Rainier Avenue South
23 I-405 BRT Access study (L1000333).

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

32 (a) The department must confirm that any modification requested
33 under this subsection of amounts provided solely for a specific
34 purpose are not expected to be used for that purpose in this fiscal
35 biennium;

36 (b) Allotment modifications authorized under this subsection may
37 not result in increased funding for any project beyond the amount
38 provided for that project in the 2023-2025 fiscal biennium in LEAP

1 Transportation Document 2023-2 ALL PROJECTS as developed April 21,
2 2023;

3 (c) Allotment modifications authorized under this subsection
4 apply only to amounts appropriated in this section from the following
5 accounts: Connecting Washington account—state, and move ahead WA
6 account—state; and

7 (d) The office of financial management must provide notice of
8 allotment modifications authorized under this subsection within 10
9 working days to the transportation committees of the legislature. By
10 December 1, 2023, and December 1, 2024, the department must submit a
11 report to the transportation committees of the legislature regarding
12 the actions taken to date under this subsection.

13 NEW SECTION. **Sec. 311. ANNUAL REPORTING REQUIREMENTS FOR**
14 **CAPITAL PROGRAM**

15 As part of its annual budget submittal, the department of
16 transportation shall provide an update to the report provided to the
17 legislature in the prior fiscal year in a manner consistent with past
18 practices as specified in section 312, chapter 333, Laws of 2021.

19 NEW SECTION. **Sec. 312. QUARTERLY REPORTING REQUIREMENTS FOR**
20 **CAPITAL PROGRAM**

21 On a quarterly basis, the department of transportation shall
22 provide to the office of financial management and the legislative
23 transportation committees a report for all capital projects in a
24 manner consistent with past practices as specified in section 313,
25 chapter 186, Laws of 2022.

26 NEW SECTION. **Sec. 313. NOTIFICATION REQUIREMENTS FOR PAUSES AND**
27 **CANCELLATIONS**

28 (1) The department of transportation shall notify the
29 transportation committees of the legislature when it intends to pause
30 for a significant length of time or not proceed with operating items
31 or capital projects included as budget provisos or on project lists.
32 When feasible, this notification shall be provided prior to the pause
33 or cancellation and at least seven days in advance of any public
34 announcement related to such a pause or cancellation.

35 (2) At the time of notification, the department shall provide an
36 explanation for the reason or reasons for the pause or cancellation
37 for each operating budget item and capital project. The explanation

1 shall include specific reasons for each pause or cancellation, in
2 addition to a statement of the broad rationale for the pause or
3 cancellation.

4 (3) When feasible, the department shall make best efforts to keep
5 the transportation committees of the legislature informed of an
6 evaluation process underway for selecting operating budget items and
7 capital projects to be paused or canceled, providing updates as its
8 selection efforts proceed.

9 (4) When exigent circumstances prevent prior notice of a pause or
10 cancellation from being provided to the transportation committees of
11 the legislature, the department shall provide the information
12 required under this section to the transportation committees of the
13 legislature as soon as is practicable.

14 NEW SECTION. **Sec. 314. FOR THE WASHINGTON STATE DEPARTMENT OF**
15 **TRANSPORTATION—FUNDS MANAGEMENT**

16 As part of the department's 2024 supplemental and 2025-2027
17 biennial budget requests, the department shall also report on:

- 18 (1) The federal grant programs it has applied for; and
19 (2) The federal competitive grant programs it could have applied
20 for but did not and the reason or reasons it did not apply.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT
3 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR
4 BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND
5 TRANSPORTATION FUND REVENUE

6	Transportation Partnership Account—State	
7	Appropriation.	\$1,101,000
8	Connecting Washington Account—State Appropriation.	\$11,951,000
9	Special Category C Account—State Appropriation.	\$922,000
10	Highway Bond Retirement Account—State Appropriation.	\$1,470,291,000
11	Ferry Bond Retirement Account—State Appropriation.	\$4,616,000
12	Transportation Improvement Board Bond Retirement	
13	Account—State Appropriation.	\$10,895,000
14	Nondebt-Limit Reimbursable Bond Retirement Account—	
15	State Appropriation.	\$28,606,000
16	Toll Facility Bond Retirement Account—State	
17	Appropriation.	\$76,372,000
18	TOTAL APPROPRIATION.	\$1,604,754,000

19 NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT
20 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR
21 BOND SALE EXPENSES AND FISCAL AGENT CHARGES

22	Transportation Partnership Account—State	
23	Appropriation.	\$220,000
24	Transportation Improvement Account—State	
25	Appropriation.	\$20,000
26	Connecting Washington Account—State Appropriation.	\$2,391,000
27	Special Category C Account—State Appropriation.	\$183,000
28	TOTAL APPROPRIATION.	\$2,814,000

29 NEW SECTION. Sec. 403. FOR THE STATE TREASURER—STATE REVENUES
30 FOR DISTRIBUTION

31	Motor Vehicle Account—State Appropriation: For motor	
32	vehicle fuel tax statutory distributions to	
33	cities and counties.	\$465,354,000
34	Multimodal Transportation Account—State	
35	Appropriation: For distribution to cities and	
36	counties.	\$26,786,000

1 Motor Vehicle Account—State Appropriation: For
2 distribution to cities and counties. \$23,438,000
3 TOTAL APPROPRIATION. \$515,578,000

4 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

5 Motor Vehicle Account—State Appropriation: For motor
6 vehicle fuel tax refunds and statutory
7 transfers. \$1,969,182,000

8 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING—**
9 **TRANSFERS**

10 Motor Vehicle Account—State Appropriation: For motor
11 vehicle fuel tax refunds and transfers. \$246,480,000

12 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE**
13 **TRANSFERS**

14 (1) (a) Pilotage Account—State Appropriation: For
15 transfer to the Multimodal Transportation Account—State. . . \$200,000

16 (b) The amount transferred in this subsection represents partial
17 repayment of prior biennium transfers to cover self-insurance
18 liability premiums.

19 (2) Transportation Partnership Account—State
20 Appropriation: For transfer to the Motor Vehicle
21 Account—State. \$175,000,000

22 (3) Connecting Washington Account—State
23 Appropriation: For transfer to the Move Ahead WA
24 Account—State. \$200,000,000

25 (4) Electric Vehicle Account—State appropriation:
26 For transfer to the Move Ahead WA Flexible
27 Account—State. \$29,200,000

28 (5) Electric Vehicle Account—State Appropriation:
29 For transfer to the Multimodal Transportation
30 Account—State. \$23,330,000

31 (6) Washington State Aviation Account—State
32 Appropriation: For transfer to the Aeronautics
33 Account—State. \$150,000

34 (7) Carbon Emissions Reduction Account—State
35 Appropriation: For transfer to the Climate Active
36 Transportation Account—State. \$178,885,000

1 (8) Carbon Emissions Reduction Account—State
2 Appropriation: For transfer to the Climate Transit
3 Programs Account—State. \$408,000,000
4 (9) Carbon Emissions Reduction Account—State
5 Appropriation: For transfer to the Puget Sound Ferry
6 Operations Account—State. \$4,200,000
7 (10) Move Ahead WA Flexible Account—State
8 Appropriation: For transfer to the Move Ahead WA
9 Account—State. \$100,000,000
10 (11) Alaskan Way Viaduct Replacement Project
11 Account—State Appropriation: For transfer to the
12 Motor Vehicle Account—State. \$25,000,000
13 (12) Highway Safety Account—State Appropriation:
14 For transfer to the State Patrol Highway
15 Account—State. \$77,000,000
16 (13)(a) Transportation Partnership Account—State
17 Appropriation: For transfer to the Tacoma Narrows Toll
18 Bridge Account—State. \$6,611,000
19 (b) It is the intent of the legislature that this transfer is
20 temporary, for the purpose of minimizing the impact of toll
21 increases. An equivalent reimbursing transfer is to occur after the
22 debt service and deferred sales tax on the Tacoma Narrows bridge
23 construction costs are fully repaid in accordance with chapter 195,
24 Laws of 2018.
25 (14) Motor Vehicle Account—State Appropriation:
26 For transfer to the State Patrol Highway
27 Account—State. \$1,500,000
28 (15) Motor Vehicle Account—State Appropriation:
29 For transfer to the County Arterial Preservation
30 Account—State. \$4,844,000
31 (16) Motor Vehicle Account—State Appropriation: For
32 transfer to the Freight Mobility Investment
33 Account—State. \$8,511,000
34 (17) Motor Vehicle Account—State Appropriation: For
35 transfer to the Rural Arterial Trust Account—State. . . . \$4,844,000
36 (18) Motor Vehicle Account—State Appropriation:
37 For transfer to the Transportation Improvement
38 Account—State. \$9,688,000
39 (19)(a) State Route Number 520 Civil Penalties

1 Account—State Appropriation: For transfer to the Motor
2 Vehicle Account—State. \$1,000,000
3 (b) The transfer in this subsection is to repay moneys loaned to
4 the state route number 520 civil penalties account in the 2019-2021
5 fiscal biennium.
6 (20) State Route Number 520 Civil Penalties
7 Account—State Appropriation: For transfer to the
8 State Route Number 520 Corridor Account—State. \$560,000
9 (21)(a) Capital Vessel Replacement Account—State
10 Appropriation: For transfer to the Connecting Washington
11 Account—State. \$29,000,000
12 (b) It is the intent of the legislature that this transfer is
13 temporary, for the purpose of minimizing the use of bonding in the
14 connecting Washington account.
15 (22) Multimodal Transportation Account—State
16 Appropriation: For transfer to the Complete Streets
17 Grant Program Account—State. \$14,670,000
18 (23) Multimodal Transportation Account—State
19 Appropriation: For transfer to the Highway Safety
20 Account—State. \$3,000,000
21 (24) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Motor Vehicle
23 Account—State. \$15,000,000
24 (25) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Freight Mobility
26 Multimodal Account—State. \$8,511,000
27 (26) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Move Ahead WA Flexible
29 Account—State. \$11,790,000
30 (27) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Puget Sound Capital
32 Construction Account—State. \$175,000,000
33 (28) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Puget Sound
35 Ferry Operations Account—State. \$38,500,000
36 (29) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Regional Mobility
38 Grant Program Account—State. \$27,679,000
39 (30) Multimodal Transportation Account—State

1 Appropriation: For transfer to the Rural Mobility
2 Grant Program Account—State. \$12,223,000
3 (31) Multimodal Transportation Account—State
4 Appropriation: For transfer to the State Patrol Highway
5 Account—State. \$59,000,000
6 (32) (a) Alaskan Way Viaduct Replacement Project
7 Account—State Appropriation: For transfer to the
8 Transportation Partnership Account—State. \$47,899,000
9 (b) \$22,899,000 of the amount transferred in this subsection
10 represents repayment of debt service incurred for the construction of
11 the SR 99/Alaskan Way Viaduct Replacement project (809936Z).
12 (33) Tacoma Narrows Toll Bridge Account—State
13 Appropriation: For transfer to the Motor Vehicle
14 Account—State. \$543,000
15 (34) (a) General Fund Account—State Appropriation:
16 For transfer to the State Patrol Highway
17 Account—State. \$625,000
18 (b) The state treasurer shall transfer the funds only after
19 receiving notification from the Washington state patrol under section
20 207 of this act.
21 (35) Puget Sound Ferry Operations Account—State
22 Appropriation: For transfer to the Puget Sound Capital
23 Construction Account—State. \$121,828,000
24 (36) Move Ahead WA Account—State Appropriation:
25 For transfer to the Puget Sound Ferry Operations
26 Account—State. \$120,000,000

27 **NEW SECTION. Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT**
28 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
29 **DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

30 Toll Facility Bond Retirement Account—Federal
31 Appropriation. \$194,241,000
32 Toll Facility Bond Retirement Account—State
33 Appropriation. \$25,372,000
34 TOTAL APPROPRIATION. \$219,613,000

35 The appropriations in this section are subject to the following
36 conditions and limitations: \$35,250,000 of the toll facility bond
37 retirement account—federal appropriation may be used to prepay

1 certain outstanding bonds if sufficient debt service savings can be
2 obtained.

(End of part)

1 **COMPENSATION**

2 NEW SECTION. **Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
3 **IMPAIRED**

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

8 NEW SECTION. **Sec. 502. COLLECTIVE BARGAINING AGREEMENTS**

9 (1) In accordance with chapters 41.80, 41.56, and 47.64 RCW,
10 agreements have been reached between the governor and organizations
11 representing state employee bargaining units for the 2023-2025 fiscal
12 biennium and funding is provided in this act for agreements and
13 awards with the following organizations:

- 14 (a) Washington federation of state employees, general government;
15 (b) Washington public employees association, general government;
16 (c) Professional and technical engineers, local 17;
17 (d) The coalition of unions;
18 (e) Washington state patrol troopers association;
19 (f) Washington state patrol lieutenants and captains association;
20 (g) Office and professional employees international union local
21 8;
22 (h) Ferry agents, supervisors, and project administrators
23 association;
24 (i) Service employees international union local 6;
25 (j) Pacific northwest regional council of carpenters;
26 (k) Puget Sound metal trades council;
27 (l) Marine engineers' beneficial association unlicensed engine
28 room employees;
29 (m) Marine engineers' beneficial association licensed engineer
30 officers;
31 (n) Marine engineers' beneficial association port engineers;
32 (o) Masters, mates, and pilots - mates;
33 (p) Masters, mates, and pilots - masters;
34 (q) Masters, mates, and pilots - watch center supervisors; and
35 (r) Inlandboatmen's union of the Pacific;

36 (2) Expenditures for agreements in this section may also be
37 funded from nonappropriated accounts. If positions are funded with

1 lidded grants or dedicated fund sources with insufficient revenue,
2 additional funding from other sources is not provided.

3 NEW SECTION. **Sec. 503. COMPENSATION—INSURANCE BENEFITS**

4 (1) (a) An agreement was reached for the 2023-2025 fiscal biennium
5 between the governor and the health care coalition under the
6 provisions of chapter 41.80 RCW. Appropriations in this act for state
7 agencies are sufficient to implement the provisions of the 2023-2025
8 collective bargaining agreement.

9 (b) Appropriations for state agencies in this act are sufficient
10 for represented employees outside the coalition and for
11 nonrepresented state employee health benefits.

12 (2) The appropriations for state agencies in this act for
13 benefits provided by the public employees' benefits board are subject
14 to conditions and limitations as provided in the omnibus operating
15 appropriations act.

16 NEW SECTION. **Sec. 504. GENERAL WAGE INCREASES AND LUMP SUM**
17 **PAYMENTS**

18 (1) (a) Appropriations for state agency employee compensation in
19 this act are sufficient to provide general wage increases to state
20 agency employees and employees of institutions of higher education,
21 who are not represented or who bargain under statutory authority
22 other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

23 (b) Appropriations for state agency employee compensation in this
24 act are sufficient to provide a retention lump sum payment and a lump
25 sum COVID-19 booster incentive to state agency employees who are not
26 represented or who bargain under statutory authority other than
27 chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

28 (2) Funding is provided for a four percent general wage increase
29 effective July 1, 2023, for all classified employees as specified in
30 subsection (1) (a) of this section, employees in the Washington
31 management service, and exempt employees under the jurisdiction of
32 the office of financial management. The appropriations are also
33 sufficient to fund a four percent salary increase effective July 1,
34 2023, for executive, legislative, and judicial branch employees
35 exempt from merit system rules whose maximum salaries are not set by
36 the commission on salaries for elected officials.

37 (3) Funding is provided for a three percent general wage increase
38 effective July 1, 2024, for all classified employees as specified in

1 subsection (1)(a) of this section, employees in the Washington
2 management service, and exempt employees under the jurisdiction of
3 the office of financial management. The appropriations are also
4 sufficient to fund a three percent salary increase effective July 1,
5 2024, for executive, legislative, and judicial branch employees
6 exempt from merit system rules whose maximum salaries are not set by
7 the commission on salaries for elected officials.

8 (4) Funding is provided for a retention lump sum payment of
9 \$1,000 for all employees as specified in subsection (1)(b) of this
10 section who were employed on or before July 1, 2022, and continuously
11 employed through July 1, 2023.

12 (5) Funding is provided for a COVID-19 booster incentive payment
13 of \$1,000 for all employees as specified in subsection (1)(b) of this
14 section who provide verification, beginning January 1, 2023, through
15 December 31, 2023, that they are up-to-date with the COVID-19 vaccine
16 booster.

17 NEW SECTION. **Sec. 505. COMPENSATION—PENSION CONTRIBUTIONS**

18 Appropriations in this act for state agencies are adjusted to
19 reflect pension contribution rates adopted by the pension funding
20 council and the law enforcement officers' and firefighters'
21 retirement system plan 2 board and as otherwise provided in the
22 omnibus operating appropriations act.

(End of part)

1 **IMPLEMENTING PROVISIONS**

2 NEW SECTION. **Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN**
3 **THE LEGISLATURE IS NOT IN SESSION**

4 (1) The 2005 transportation partnership projects or improvements
5 and 2015 connecting Washington projects or improvements are listed in
6 the LEAP Transportation Document 2023-1 as developed April 21, 2023,
7 which consists of a list of specific projects by fund source and
8 amount over multiple biennia. Current fiscal biennium funding for
9 each project is a line-item appropriation, while the outer year
10 funding allocations represent a 16-year plan. The department of
11 transportation is expected to use the flexibility provided in this
12 section to assist in the delivery and completion of all
13 transportation partnership account and connecting Washington account
14 projects on the LEAP transportation document referenced in this
15 subsection. For the 2023-2025 project appropriations, unless
16 otherwise provided in this act, the director of the office of
17 financial management may provide written authorization for a transfer
18 of appropriation authority between projects funded with
19 transportation partnership account appropriations or connecting
20 Washington account appropriations to manage project spending and
21 efficiently deliver all projects in the respective program under the
22 following conditions and limitations:

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

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

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

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

33 (e) Transfers to a project may not occur if that project is a
34 programmatic funding item described in broad general terms on the
35 applicable project list without referencing a specific state route
36 number;

37 (f) Transfers may not be made while the legislature is in
38 session;

1 (g) Transfers to a project may not be made with funds designated
2 as attributable to practical design savings as described in RCW
3 47.01.480;

4 (h) Except for transfers made under (l) of this subsection,
5 transfers may only be made in fiscal year 2024;

6 (i) The total amount of transfers under this section may not
7 exceed \$50,000,000;

8 (j) Except as otherwise provided in (l) of this subsection,
9 transfers made to a single project may not cumulatively total more
10 than \$20,000,000 per fiscal biennium;

11 (k) Each transfer between projects may only occur if the director
12 of the office of financial management finds that any resulting change
13 will not hinder the completion of the projects as approved by the
14 legislature; and

15 (1) Transfers between projects may be made by the department of
16 transportation without the formal written approval provided under
17 this subsection (1), provided that the transfer amount to a single
18 project does not exceed \$250,000 or 10 percent of the total project
19 per fiscal biennium, whichever is less. These transfers must be
20 reported quarterly to the director of the office of financial
21 management and the chairs of the house of representatives and senate
22 transportation committees.

23 (2) The department of transportation must submit quarterly all
24 transfers authorized under this section in the transportation
25 executive information system. The office of financial management must
26 maintain a legislative baseline project list identified in the LEAP
27 transportation documents referenced in this act, and update that
28 project list with all authorized transfers under this section,
29 including any effects to the total project budgets and schedules
30 beyond the current fiscal biennium.

31 (3) At the time the department submits a request to transfer
32 funds under this section, a copy of the request must be submitted to
33 the chairs and ranking members of the transportation committees of
34 the legislature.

35 (4) Before approval, the office of financial management shall
36 work with legislative staff of the house of representatives and
37 senate transportation committees to review the requested transfers in
38 a timely manner and address any concerns raised by the chairs and
39 ranking members of the transportation committees.

1 (5) No fewer than 10 days after the receipt of a project transfer
2 request, the director of the office of financial management must
3 provide written notification to the department of any decision
4 regarding project transfers, with copies submitted to the
5 transportation committees of the legislature.

6 (6) The department must submit annually as part of its budget
7 submittal a report detailing all transfers made pursuant to this
8 section, including any effects to the total project budgets and
9 schedules beyond the current fiscal biennium.

10 NEW SECTION. **Sec. 602. BOND REIMBURSEMENT**

11 To the extent that any appropriation authorizes expenditures of
12 state funds from the motor vehicle account, special category C
13 account, Tacoma Narrows toll bridge account, transportation 2003
14 account (nickel account), transportation partnership account,
15 transportation improvement account, Puget Sound capital construction
16 account, multimodal transportation account, state route number 520
17 corridor account, connecting Washington account, or other
18 transportation capital project account in the state treasury for a
19 state transportation program that is specified to be funded with
20 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
21 legislature declares that any such expenditures made before the issue
22 date of the applicable transportation bonds for that state
23 transportation program are intended to be reimbursed from proceeds of
24 those transportation bonds in a maximum amount equal to the amount of
25 such appropriation.

26 NEW SECTION. **Sec. 603. BELATED CLAIMS**

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

31 NEW SECTION. **Sec. 604. REAPPROPRIATIONS REPORTING**

32 (1) As part of its 2024 supplemental budget submittal, the
33 department of transportation shall provide a report to the
34 legislature and the office of financial management that:

35 (a) Identifies, by capital project, the amount of state funding
36 that has been reappropriated from the 2021-2023 fiscal biennium into
37 the 2023-2025 fiscal biennium; and

1 (b) Identifies, for each project, the amount of cost savings or
2 increases in funding that have been identified as compared to the
3 2021 enacted omnibus transportation appropriations act.

4 (2) As part of the agency request for capital programs, the
5 department shall load reappropriations separately from funds that
6 were assumed to be required for the 2023-2025 fiscal biennium into
7 budgeting systems.

8 NEW SECTION. **Sec. 605. WEBSITE REPORTING REQUIREMENTS**

9 The department of transportation shall post on its website every
10 report that is due from the department to the legislature during the
11 2023-2025 fiscal biennium on one web page in a manner consistent with
12 past practices as specified in section 605, chapter 333, Laws of
13 2021.

14 NEW SECTION. **Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN**
15 **ELEMENTS REPORTING**

16 By November 15th of each year, the department of transportation
17 must report on amounts expended to benefit transit, bicycle, or
18 pedestrian elements within all connecting Washington projects in
19 programs I, P, and Z identified in LEAP Transportation Document
20 2023-2 ALL PROJECTS as developed April 21, 2023, in a manner
21 consistent with past practices as specified in section 602, chapter
22 186, Laws of 2022.

23 NEW SECTION. **Sec. 607. PROJECT SCOPE CHANGES**

24 (1) During the 2023-2025 fiscal biennium, while the legislature
25 is not in session, the director of the office of financial management
26 may approve project scope change requests to connecting Washington
27 projects and move ahead WA projects in the highway improvements
28 program, provided that the requests meet the criteria outlined in RCW
29 47.01.480 if a connecting Washington project, and are subject to the
30 limitations in this section.

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

35 (3) Before approval, the office of financial management shall
36 work with legislative staff of the house of representatives and

1 senate transportation committees to review the requested project
2 scope changes.

3 (4) No fewer than 10 days after the receipt of a scope change
4 request, the director of the office of financial management must
5 provide written notification to the department of any decision
6 regarding project scope changes, with copies submitted to the
7 transportation committees of the legislature.

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

12 NEW SECTION. **Sec. 608. TOLL CREDITS**

13 The department of transportation may provide up to \$5,000,000 in
14 toll credits to Kitsap transit for its role in delivering capital
15 projects related to Kitsap transit public transportation services
16 including, but not limited to, ferry service. The number of toll
17 credits provided must be equal to, but no more than, the number
18 sufficient to meet federal match requirements for grant funding for
19 passenger-only ferry service, but must not exceed the amount
20 authorized in this section.

21 NEW SECTION. **Sec. 609. LOCAL PARTNER COOPERATIVE AGREEMENTS**

22 (1) If a transportation project, where the Washington state
23 department of transportation is the lead and the project is scheduled
24 to be delivered or completed in the 2023-2025 fiscal biennium as
25 shown on the LEAP Transportation Document 2023-2 ALL PROJECTS as
26 developed April 21, 2023, is in jeopardy of being delayed because the
27 department is unable to deliver or complete the project within the
28 2023-2025 fiscal biennium and other local jurisdictions are able to
29 deliver or complete the work, the department must coordinate with the
30 appropriate local jurisdictions to determine if a potential local
31 partner is ready, willing, and able to execute delivery and
32 completion of the project within the 2023-2025 fiscal biennium.

33 (2) The department must compile a list of projects under this
34 section, including the timing under which the local partner agency
35 can deliver or complete the projects within the 2023-2025 and
36 2025-2027 fiscal biennia. The department must submit the compiled
37 list of projects to the governor and the transportation committees of
38 the legislature by November 1, 2023.

(End of part)

*NEW SECTION. **Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT**

The following transportation projects are subject to the conditions, limitations, and review provided in section 701(2) through (12), chapter . . . (Engrossed Substitute Senate Bill No. 5187), Laws of 2023 (omnibus operating appropriations act):

(1) For the Washington state patrol: Aerial criminal investigation tools;

(2) For the department of licensing: Website accessibility and usability, and to upgrade and improve prorated and fuel tax system; and

(3) For the department of transportation: Linear referencing system (LRS) and highway performance monitoring system (HPMS) replacement, transportation reporting and accounting information system (TRAINS) upgrade and PROPEL - WSDOT support of one Washington, and capital systems replacement.

**Sec. 701 was partially vetoed. See message at end of chapter.*

NEW SECTION. **Sec. 702. DEVELOPMENT OF CLIMATE COMMITMENT ACT EVALUATION TOOLS**

The department of transportation shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 of this act for programs, projects, and other activities that receive funding from the carbon emissions reduction account.

Sec. 703. RCW 43.19.642 and 2021 c 333 s 703 are each amended to read as follows:

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

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum

1 of (~~twenty~~) 20 percent biodiesel as compared to total volume of all
2 diesel purchases made by the agencies for the operation of the
3 agencies' diesel-powered vessels, vehicles, and construction
4 equipment.

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

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

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

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

16 (5) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal
17 biennia, the Washington state ferries is required to use a minimum of
18 five percent biodiesel as compared to total volume of all diesel
19 purchases made by the Washington state ferries for the operation of
20 the Washington state ferries diesel-powered vessels, as long as the
21 price of a B5 or B10 biodiesel blend does not exceed the price of
22 conventional diesel fuel by five percent or more.

23 **Sec. 704.** RCW 46.20.745 and 2021 c 333 s 704 are each amended to
24 read as follows:

25 (1) The ignition interlock device revolving account program is
26 created within the department to assist in covering the monetary
27 costs of installing, removing, and leasing an ignition interlock
28 device, and applicable licensing, for indigent persons who are
29 required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an
30 ignition interlock device in all vehicles owned or operated by the
31 person. For purposes of this subsection, "indigent" has the same
32 meaning as in RCW 10.101.010, as determined by the department. During
33 the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal biennia, the
34 ignition interlock device revolving account program also includes
35 ignition interlock enforcement work conducted by the Washington state
36 patrol.

37 (2) A pilot program is created within the ignition interlock
38 device revolving account program for the purpose of monitoring

1 compliance by persons required to use ignition interlock devices and
2 by ignition interlock companies and vendors.

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

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

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

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

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

16 (5) As part of monitoring compliance, the Washington traffic
17 safety commission shall also track recidivism for violations of RCW
18 46.61.502 and 46.61.504 by persons required to have an ignition
19 interlock driver's license under RCW 46.20.385 and 46.20.720.

20 **Sec. 705.** RCW 46.68.060 and 2022 c 182 s 434 are each amended to
21 read as follows:

22 There is hereby created in the state treasury a fund to be known
23 as the highway safety fund to the credit of which must be deposited
24 all moneys directed by law to be deposited therein. This fund must be
25 used for carrying out the provisions of law relating to driver
26 licensing, driver improvement, financial responsibility, cost of
27 furnishing abstracts of driving records and maintaining such case
28 records, and to carry out the purposes set forth in RCW 43.59.010,
29 chapters 46.72 and 46.72A RCW, and RCW 47.04.410. (~~During the~~
30 ~~2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer~~
31 ~~from the highway safety fund to the Puget Sound ferry operations~~
32 ~~account, the motor vehicle fund, and the multimodal transportation~~
33 ~~account such amounts as reflect the excess fund balance of the~~
34 ~~highway safety fund.)) During the ((~~2017-2019, 2019-2021, and~~)
35 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct
36 the state treasurer to make transfers of moneys in the highway safety
37 fund to the multimodal transportation account and the state patrol
38 highway account.~~

1 **Sec. 706.** RCW 46.68.063 and 2021 c 333 s 714 are each amended to
2 read as follows:

3 The department of licensing technology improvement and data
4 management account is created in the highway safety (~~fund~~) account.
5 All receipts from fees collected under RCW 46.12.630(5) must be
6 deposited into the account. Expenditures from the account may be used
7 only for investments in technology and data management at the
8 department. During the (~~2019-2021 and~~) 2021-2023 and 2023-2025
9 fiscal biennia, the account may also be used for responding to public
10 records requests. Moneys in the account may be spent only after
11 appropriation.

12 **Sec. 707.** RCW 46.68.290 and 2022 c 157 s 16 are each amended to
13 read as follows:

14 (1) The transportation partnership account is hereby created in
15 the motor vehicle (~~fund~~) account. All distributions to the account
16 from RCW 46.68.090 must be deposited into the account. Money in the
17 account may be spent only after appropriation. Expenditures from the
18 account must be used only for projects or improvements identified as
19 2005 transportation partnership projects or improvements in the
20 omnibus transportation appropriations act, including any principal
21 and interest on bonds authorized for the projects or improvements.

22 (2) The legislature finds that:

23 (a) Citizens demand and deserve accountability of transportation-
24 related programs and expenditures. Transportation-related programs
25 must continuously improve in quality, efficiency, and effectiveness
26 in order to increase public trust;

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

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

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

35 (a) "Performance audit" means an objective and systematic
36 assessment of a state agency or agencies or any of their programs,
37 functions, or activities by the state auditor or designee in order to
38 help improve agency efficiency, effectiveness, and accountability.

1 Performance audits include economy and efficiency audits and program
2 audits.

3 (b) "Transportation-related agency" means any state agency,
4 board, or commission that receives funding primarily for
5 transportation-related purposes. At a minimum, the department of
6 transportation, the transportation improvement board or its successor
7 entity, the county road administration board or its successor entity,
8 and the traffic safety commission are considered transportation-
9 related agencies. The Washington state patrol and the department of
10 licensing shall not be considered transportation-related agencies
11 under chapter 314, Laws of 2005.

12 (4) Within the authorities and duties under chapter 43.09 RCW,
13 the state auditor shall establish criteria and protocols for
14 performance audits. Transportation-related agencies shall be audited
15 using criteria that include generally accepted government auditing
16 standards as well as legislative mandates and performance objectives
17 established by state agencies. Mandates include, but are not limited
18 to, agency strategies, timelines, program objectives, and mission and
19 goals as required in RCW 43.88.090.

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

24 (6) The audits may include:

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

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

30 (c) Analysis of gaps and overlaps in programs and services and
31 recommendations for improving, dropping, blending, or separating
32 functions to correct gaps or overlaps;

33 (d) Analysis and recommendations for pooling information
34 technology systems used within the transportation-related agency, and
35 evaluation of information processing and telecommunications policy,
36 organization, and management;

37 (e) Analysis of the roles and functions of the transportation-
38 related agency, its programs, and its services and their compliance
39 with statutory authority and recommendations for eliminating or

1 changing those roles and functions and ensuring compliance with
2 statutory authority;

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

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

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

12 (i) Identification and recognition of best practices;

13 (j) Evaluation of planning, budgeting, and program evaluation
14 policies and practices;

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

16 (l) Evaluation of purchasing operations and management policies
17 and practices;

18 (m) Evaluation of organizational structure and staffing levels,
19 particularly in terms of the ratio of managers and supervisors to
20 nonmanagement personnel; and

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

24 (7) Within the authorities and duties under chapter 43.09 RCW,
25 the state auditor must provide the preliminary performance audit
26 reports to the audited state agency for comment. The auditor also may
27 seek input on the preliminary report from other appropriate
28 officials. Comments must be received within (~~thirty~~) 30 days after
29 receipt of the preliminary performance audit report unless a
30 different time period is approved by the state auditor. The final
31 performance audit report shall include the objectives, scope, and
32 methodology; the audit results, including findings and
33 recommendations; the agency's response and conclusions; and
34 identification of best practices.

35 (8) The state auditor shall provide final performance audit
36 reports to the citizens of Washington, the governor, the joint
37 legislative audit and review committee, the appropriate legislative
38 committees, and other appropriate officials. Final performance audit
39 reports shall be posted on the internet.

1 (9) The audited transportation-related agency is responsible for
2 follow-up and corrective action on all performance audit findings and
3 recommendations. The audited agency's plan for addressing each audit
4 finding and recommendation shall be included in the final audit
5 report. The plan shall provide the name of the contact person
6 responsible for each action, the action planned, and the anticipated
7 completion date. If the audited agency does not agree with the audit
8 findings and recommendations or believes action is not required, then
9 the action plan shall include an explanation and specific reasons.

10 The office of financial management shall require periodic
11 progress reports from the audited agency until all resolution has
12 occurred. The office of financial management is responsible for
13 achieving audit resolution. The office of financial management shall
14 annually report by December 31st the status of performance audit
15 resolution to the appropriate legislative committees and the state
16 auditor. The legislature shall consider the performance audit results
17 in connection with the state budget process.

18 The auditor may request status reports on specific audits or
19 findings.

20 (10) For the period from July 1, 2005, until June 30, 2007, the
21 amount of \$4,000,000 is appropriated from the transportation
22 partnership account to the state auditors office for the purposes of
23 subsections (2) through (9) of this section.

24 ~~(11) ((During the 2015-2017 fiscal biennium, the legislature may~~
25 ~~transfer from the transportation partnership account to the~~
26 ~~connecting Washington account such amounts as reflect the excess fund~~
27 ~~balance of the transportation partnership account.~~

28 ~~(12))~~ During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025
29 fiscal biennia, the legislature may direct the state treasurer to
30 make transfers of moneys in the transportation partnership account to
31 ~~((the connecting Washington account,))~~ the motor vehicle ~~((fund,))~~
32 account and the Tacoma Narrows toll bridge account ~~((, and the capital~~
33 ~~vessel replacement account))~~.

34 **Sec. 708.** RCW 46.68.300 and 2021 c 333 s 711 are each amended to
35 read as follows:

36 The freight mobility investment account is hereby created in the
37 state treasury. Money in the account may be spent only after
38 appropriation. Expenditures from the account may be used only for
39 freight mobility projects that have been approved by the freight

1 mobility strategic investment board in RCW 47.06A.020 and may include
2 any principal and interest on bonds authorized for the projects or
3 improvements. During the (~~(2019-2021 and)~~) 2021-2023 and 2023-2025
4 fiscal biennia, the expenditures from the account may also be used
5 for the administrative expenses of the freight mobility strategic
6 investment board.

7 **Sec. 709.** RCW 46.68.370 and 2021 c 333 s 710 are each amended to
8 read as follows:

9 The license plate technology account is created in the state
10 treasury. All receipts collected under RCW 46.17.015 must be
11 deposited into this account. Expenditures from this account must
12 support current and future license plate technology and systems
13 integration upgrades for both the department and correctional
14 industries. Moneys in the account may be spent only after
15 appropriation. Additionally, the moneys in this account may be used
16 to reimburse the motor vehicle account for any appropriation made to
17 implement the digital license plate system. During the 2011-2013 and
18 2013-2015 fiscal biennia, the legislature may transfer from the
19 license plate technology account to the highway safety fund such
20 amounts as reflect the excess fund balance of the license plate
21 technology account. During the (~~(2019-2021 and)~~) 2021-2023 and
22 2023-2025 fiscal biennia, the account may also be used for the
23 maintenance of recently modernized information technology systems for
24 vehicle registrations.

25 **Sec. 710.** RCW 46.68.395 and 2020 c 219 s 707 are each amended to
26 read as follows:

27 (1) The connecting Washington account is created in the motor
28 vehicle (~~(fund)~~) account. Moneys in the account may be spent only
29 after appropriation. Expenditures from the account must be used only
30 for projects or improvements identified as connecting Washington
31 projects or improvements in a transportation appropriations act,
32 including any principal and interest on bonds authorized for the
33 projects or improvements.

34 (2) Moneys in the connecting Washington account may not be
35 expended on the state route number 99 Alaskan Way viaduct replacement
36 project.

37 (3) During the (~~(2019-2021)~~) 2023-2025 fiscal biennium, the
38 legislature may direct the state treasurer to make transfers of

1 moneys in the connecting Washington account to the ((~~motor vehicle~~
2 ~~fund~~)) move ahead WA account.

3 **Sec. 711.** RCW 46.68.490 and 2022 c 182 s 102 are each amended to
4 read as follows:

5 (1) The climate active transportation account is hereby created
6 in the state treasury. Moneys in the account may be spent only after
7 appropriation. Expenditures from the account may be used only for the
8 following active transportation grant programs: Safe routes to
9 schools, school-based bike program, bicycle and pedestrian grant
10 program, complete streets grants program, and connecting communities
11 grant program, as well as pedestrian and bicycle or other active
12 transportation projects identified in an omnibus transportation
13 appropriations act as move ahead WA projects.

14 (2) Beginning July 1, 2023, the state treasurer shall annually
15 transfer 24 percent of the revenues accruing annually to the carbon
16 emissions reduction account created in RCW 70A.65.240 to the climate
17 active transportation account. This subsection does not apply during
18 the 2023-2025 fiscal biennium.

19 **Sec. 712.** RCW 46.68.500 and 2022 c 182 s 103 are each amended to
20 read as follows:

21 (1) The climate transit programs account is hereby created in the
22 state treasury. Moneys in the account may be spent only after
23 appropriation. Expenditures from the account may be used only for the
24 following transit grant programs: Transit support grant program,
25 tribal transit mobility grants, transit coordination grants, special
26 needs transit grants, bus and bus facility grant program, green
27 transit grants, and transportation demand management grants, as well
28 as transit projects identified in an omnibus transportation
29 appropriations act as move ahead WA projects.

30 (2) Beginning July 1, 2023, the state treasurer shall annually
31 transfer 56 percent of the revenues accruing annually to the carbon
32 emissions reduction account created in RCW 70A.65.240 to the climate
33 transit programs account. This subsection does not apply during the
34 2023-2025 fiscal biennium.

35 **Sec. 713.** RCW 47.56.876 and 2022 c 157 s 17 are each amended to
36 read as follows:

1 (1) A special account to be known as the state route number 520
2 civil penalties account is created in the state treasury. All state
3 route number 520 bridge replacement and HOV program civil penalties
4 generated from the nonpayment of tolls on the state route number 520
5 corridor must be deposited into the account, as provided under RCW
6 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
7 appropriation. Expenditures from the account must be used to fund
8 legal obligations associated with bonds and loans associated with the
9 construction and operation of state route number 520 under
10 circumstances where the toll revenue collections at the time are not
11 sufficient to fully cover such legal obligations, and then may be
12 used to fund any project within the state route number 520 bridge
13 replacement and HOV program, including mitigation. The legislature
14 may direct the state treasurer to make transfers of moneys in the
15 state route number 520 civil penalties account to the state route
16 number 520 corridor account. During the 2021-2023 and 2023-2025
17 fiscal (~~biennium~~) biennia, the legislature may direct the state
18 treasurer to transfer moneys in the state route number 520 civil
19 penalties account to the motor vehicle account.

20 (2) For purposes of this section, "legal obligations associated
21 with bonds and loans" includes, but is not limited to, debt service
22 and all other activities necessary to comply with financial covenants
23 associated with state route number 520, costs associated with the
24 civil penalties program, and operation and maintenance costs.

25 **Sec. 714.** RCW 47.60.315 and 2021 c 333 s 716 are each amended to
26 read as follows:

27 (1) The commission shall adopt fares and pricing policies by
28 rule, under chapter 34.05 RCW, according to the following schedule:

29 (a) Each year the department shall provide the commission a
30 report of its review of fares and pricing policies, with
31 recommendations for the revision of fares and pricing policies for
32 the ensuing year;

33 (b) By September 1st of each year, beginning in 2008, the
34 commission shall adopt by rule fares and pricing policies for the
35 ensuing year.

36 (2) The commission may adopt by rule fares that are effective for
37 more or less than one year for the purposes of transitioning to the
38 fare schedule in subsection (1) of this section.

1 (3) The commission may increase ferry fares included in the
2 schedule of charges adopted under this section by a percentage that
3 exceeds the fiscal growth factor.

4 (4) The chief executive officer of the ferry system may authorize
5 the use of promotional, discounted, and special event fares to the
6 general public and commercial enterprises for the purpose of
7 maximizing capacity use and the revenues collected by the ferry
8 system. The department shall report to the commission a summary of
9 the promotional, discounted, and special event fares offered during
10 each fiscal year and the financial results from these activities.

11 (5) Fare revenues and other revenues deposited in the Puget Sound
12 ferry operations account created in RCW 47.60.530 may not be used to
13 support the Puget Sound capital construction account created in RCW
14 47.60.505, unless the support for capital is separately identified in
15 the fare or except as provided in section 715, chapter 333, Laws of
16 2021 during the 2021-2023 biennium and section 716, chapter . . . ,
17 Laws of 2023 (this act) during the 2023-2025 fiscal biennium.

18 (6) The commission may not raise fares until the fare rules
19 contain pricing policies developed under RCW 47.60.290, or September
20 1, 2009, whichever is later.

21 (7) The commission shall impose a vessel replacement surcharge of
22 (~~twenty-five~~) 25 cents on every one-way and round-trip ferry fare
23 sold, including multiride and monthly pass fares. This surcharge must
24 be clearly indicated to ferry passengers and drivers and, if
25 possible, on the fare media itself.

26 (8) Except as provided in subsection (10) of this section,
27 beginning May 1, 2020, the commission shall impose an additional
28 vessel replacement surcharge in an amount sufficient to fund
29 (~~twenty-five~~) 25 year debt service on one 144-auto hybrid vessel
30 taking into account funds provided in chapter 417, Laws of 2019 or
31 chapter . . . (SSB 5419), Laws of 2019. The department of
32 transportation shall provide to the commission vessel and debt
33 service cost estimates. Information on vessels constructed or
34 purchased with revenue from the surcharges must be publicly posted
35 including, but not limited to, the commission website.

36 (9) The vessel replacement surcharges imposed in this section may
37 only be used for the construction or purchase of ferry vessels and to
38 pay the principal and interest on bonds authorized for the
39 construction or purchase of new ferry vessels.

1 (10) The commission shall not impose the additional vessel
2 replacement surcharge in subsection (8) of this section if doing so
3 would increase fares by more than (~~ten~~) 10 percent.

4 (11) For the 2023-2025 fiscal biennium, any ferry fuel surcharge
5 imposed by the commission may not go into effect until after the
6 ensuing regular legislative session. If a fuel surcharge is imposed
7 as provided under this subsection, the commission must reevaluate the
8 need for the surcharge on at least a quarterly basis to determine if
9 the surcharge is still needed to cover increased fuel costs, and
10 revoke the surcharge if the determination is that the surcharge is no
11 longer needed for this purpose.

12 **Sec. 715.** RCW 47.60.322 and 2021 c 333 s 712 are each amended to
13 read as follows:

14 (1) The capital vessel replacement account is created in the
15 motor vehicle (~~fund~~) account. All revenues generated from the
16 vessel replacement surcharge under RCW 47.60.315(7) and service fees
17 collected by the department of licensing or county auditor or other
18 agent appointed by the director under RCW 46.17.040, 46.17.050, and
19 46.17.060 must be deposited into the account. Moneys in the account
20 may be spent only after appropriation. Expenditures from the account
21 may be used only for the construction or purchase of ferry vessels
22 and to pay the principal and interest on bonds authorized for the
23 construction or purchase of ferry vessels. However, expenditures from
24 the account must first be used to support the construction or
25 purchase, including any applicable financing costs, of a ferry vessel
26 with a carrying capacity of at least one hundred forty-four cars.

27 (2) The state treasurer may transfer moneys from the capital
28 vessel replacement account to the transportation 2003 account (nickel
29 account) for debt service on bonds issued for the construction of
30 144-car class ferry vessels.

31 (3) The legislature may transfer from the capital vessel
32 replacement account to the connecting Washington account created
33 under RCW 46.68.395 such amounts as reflect the excess fund balance
34 of the capital vessel replacement account to be used for ferry
35 terminal construction and preservation.

36 (4) During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal
37 biennia, the legislature may direct the state treasurer to make
38 transfers of moneys in the capital vessel replacement account to the

1 transportation partnership account and the connecting Washington
2 account.

3 **Sec. 716.** RCW 47.60.530 and 2021 c 333 s 715 are each amended to
4 read as follows:

5 (1) The Puget Sound ferry operations account is created in the
6 motor vehicle (~~fund~~) account.

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

8 (a) All moneys directed by law;

9 (b) All revenues generated from ferry fares; and

10 (c) All revenues generated from commercial advertising,
11 concessions, parking, and leases as allowed under RCW 47.60.140.

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

13 (4) Expenditures from the account may be used only for the
14 maintenance, administration, and operation of the Washington state
15 ferry system.

16 ~~(5) ((During the 2015-2017 fiscal biennium, the legislature may
17 transfer from the Puget Sound ferry operations account to the
18 connecting Washington account such amounts as reflect the excess fund
19 balance of the Puget Sound ferry operations account.~~

20 ~~(6) During the 2017-2019 fiscal biennium, the legislature may
21 direct the state treasurer to make transfers of moneys in the Puget
22 Sound ferry operations account to the connecting Washington account.~~

23 ~~(7))~~ During the 2021-2023 and 2023-2025 fiscal ~~((biennium))~~
24 biennia, the legislature may direct the state treasurer to make
25 transfers of moneys in the Puget Sound ferry operations account to
26 the Puget Sound capital construction account.

27 **Sec. 717.** RCW 47.66.120 and 2022 c 182 s 439 are each amended to
28 read as follows:

29 (1)(a) The department's public transportation division shall
30 establish a green transportation capital grant program. The purpose
31 of the grant program is to aid any transit authority in funding cost-
32 effective capital projects to reduce the carbon intensity of the
33 Washington transportation system, examples of which include:
34 Electrification of vehicle fleets, including battery and fuel cell
35 electric vehicles; modification or replacement of capital facilities
36 in order to facilitate fleet electrification and/or hydrogen
37 refueling; necessary upgrades to electrical transmission and
38 distribution systems; and construction of charging and fueling

1 stations. The department's public transportation division shall
2 identify projects and shall submit a prioritized list of all projects
3 requesting funding to the legislature by December 1st of each even-
4 numbered year.

5 (b) The department's public transportation division shall select
6 projects based on a competitive process that considers the following
7 criteria:

8 (i) The cost-effectiveness of the reductions in carbon emissions
9 provided by the project; and

10 (ii) The benefit provided to transitioning the entire state to a
11 transportation system with lower carbon intensity.

12 (c) During the 2023-2025 fiscal biennium, the department must
13 incorporate principles into the grant selection process with the goal
14 of increasing the distribution of funding to communities based on
15 addressing environmental harms and providing environmental benefits
16 for overburdened communities, as defined in RCW 70A.02.010, and
17 vulnerable populations.

18 (2) The department's public transportation division must
19 establish an advisory committee to assist in identifying projects
20 under subsection (1) of this section. The advisory committee must
21 include representatives from the department of ecology, the
22 department of commerce, the utilities and transportation commission,
23 and at least one transit authority.

24 (3) In order to receive green transportation capital grant
25 program funding for a project, a transit authority must provide
26 matching funding for that project that is at least equal to
27 (~~twenty~~) 20 percent of the total cost of the project.

28 (4) The department's public transportation division must report
29 annually to the transportation committees of the legislature on the
30 status of any grant projects funded by the program created under this
31 section.

32 (5) For purposes of this section, "transit authority" means a
33 city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a
34 county public transportation authority under chapter 36.57 RCW, a
35 metropolitan municipal corporation transit system under chapter 36.56
36 RCW, a public transportation benefit area under chapter 36.57A RCW,
37 an unincorporated transportation benefit area under RCW 36.57.100, a
38 regional transit authority under chapter 81.112 RCW, or any special
39 purpose district formed to operate a public transportation system.

1 (6) During the 2021-2023 fiscal biennium, the department may
2 provide up to 20 percent of the total green transportation capital
3 grant program funding for zero emissions capital transition planning
4 projects. During the 2023-2025 fiscal biennium, the department may
5 provide up to 10 percent of the total green transportation capital
6 grant program funding for zero emissions capital transition planning
7 projects.

8 **Sec. 718.** RCW 82.44.200 and 2022 c 187 s 501 are each amended to
9 read as follows:

10 The electric vehicle account is created in the transportation
11 infrastructure account. Proceeds from the principal and interest
12 payments made on loans from the account must be deposited into the
13 account. Expenditures from the account may be used only for the
14 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
15 the support of other transportation electrification and alternative
16 fuel related purposes, including RCW 47.01.520. Moneys in the account
17 may be spent only after appropriation. During the 2021-2023 and
18 2023-2025 fiscal (~~(biennium)~~) biennia, the legislature may direct the
19 state treasurer to make transfers of moneys in the electric vehicle
20 account to the move ahead WA flexible account and multimodal
21 transportation account.

(End of part)

2021-2023 FISCAL BIENNIUM
TRANSPORTATION AGENCIES—OPERATING

Sec. 801. 2022 c 186 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation.	\$3,804,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.	\$127,000
State Route Number 520 Corridor Account—State Appropriation.	\$276,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$180,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation.	\$172,000
TOTAL APPROPRIATION.	\$4,559,000

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

(1)(a) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall periodically report to the steering committee with updates on activities undertaken in accordance with the federal grant awarded July 2020 ("Forward Drive"). A year-end update on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2022, and by January 1, 2023. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(b) The commission shall coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. One or more grant applications may be developed that, at a minimum, propose to:

(i) Assess the impact of a road usage charge, incentives, and other factors on consumer purchase of electric vehicles and conduct a test with drivers to fully assess impacts;

1 (ii) Assess delivery vehicle fleets and how a road usage charge
2 may be applied, identifying potential impacts to fleet operations and
3 costs, and state transportation revenues, and conducting a pilot test
4 to further inform the identification of potential impacts from a road
5 usage charge;

6 (iii) Review the process for changing vehicle ownership and
7 determine the considerations and possible implications with a road
8 usage charge system, identifying the processes and structure needed
9 for reconciling a road usage charge owed between sellers and
10 purchasers of used vehicles; and

11 (iv) Identify opportunities for achieving large-scale data
12 integration to support road usage charge service provisions that
13 could be offered by private-sector service providers, conducting a
14 pilot test to determine the ability of such service providers to
15 support automated mileage reporting and periodic payment services.

16 (2) \$127,000 of the Interstate 405 and state route number 167
17 express toll lanes account—state appropriation, \$276,000 of the state
18 route number 520 corridor account—state appropriation, \$180,000 of
19 the Tacoma Narrows toll bridge account—state appropriation, and
20 \$172,000 of the Alaskan Way viaduct replacement project account—state
21 appropriation are provided solely for the transportation commission's
22 proportional share of time spent supporting tolling operations for
23 the respective tolling facilities.

24 (3) \$1,500,000 of the motor vehicle account—state appropriation
25 is provided solely for the commission to conduct a full planning-
26 level traffic and revenue study of the Hood River Bridge to determine
27 the viability of toll revenues to support future financing of
28 improvements and possible replacement of the bridge, considering
29 prior work and studies conducted. The commission shall coordinate
30 this work with the department of transportation, the Port of Hood
31 River, the Oregon department of transportation, and other entities as
32 needed. The results of the assessment must be submitted to the house
33 and senate transportation committees by June 30, 2023.

34 (4) Within the parameters established by RCW 47.56.880, the
35 commission shall review toll revenue performance on the Interstate
36 405 and state route number 167 corridor and adjust Interstate 405
37 tolls as appropriate to increase toll revenue to provide sufficient
38 funds for payments of future debt pursuant to RCW 47.10.896 and to
39 support improvements to the corridor. The commission may consider

1 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
2 restricting direct access ramps to transit and HOV vehicles only, or
3 any combination thereof, in setting tolls to increase toll revenue.

4 **Sec. 802.** 2022 c 186 s 206 (uncodified) is amended to read as
5 follows:

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

7 Freight Mobility Investment Account—State

8 Appropriation.	((\$843,000))
9	<u>\$895,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: Within appropriated funds, the freight
12 mobility strategic investment board may opt in as provided under RCW
13 70A.02.030 to assume all of the substantive and procedural
14 requirements of covered agencies under chapter 70A.02 RCW. The board
15 shall include in its 2022 annual report to the legislature a progress
16 report on opting into the healthy environment for all act and a
17 status report on diversity, equity, and inclusion within the board's
18 jurisdiction.

19 **Sec. 803.** 2022 c 186 s 207 (uncodified) is amended to read as
20 follows:

21 **FOR THE WASHINGTON STATE PATROL**

22 State Patrol Highway Account—State Appropriation.	((\$524,348,000))
23	<u>\$523,903,000</u>
24 State Patrol Highway Account—Federal Appropriation.	((\$16,433,000))
25	<u>\$19,578,000</u>
26 State Patrol Highway Account—Private/Local	
27 Appropriation.	\$4,314,000
28 Highway Safety Account—State Appropriation.	\$1,292,000
29 Ignition Interlock Device Revolving Account—State	
30 Appropriation.	\$2,243,000
31 Multimodal Transportation Account—State	
32 Appropriation.	\$293,000
33 State Route Number 520 Corridor Account—State	
34 Appropriation.	\$433,000
35 Tacoma Narrows Toll Bridge Account—State	
36 Appropriation.	\$77,000
37 I-405 and SR 167 Express Toll Lanes Account—State	

1	Appropriation.	\$1,348,000
2	TOTAL APPROPRIATION.	(\$550,781,000)
3		<u>\$553,481,000</u>

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

6 (1) Washington state patrol officers engaged in off-duty
7 uniformed employment providing traffic control services to the
8 department of transportation or other state agencies may use state
9 patrol vehicles for the purpose of that employment, subject to
10 guidelines adopted by the chief of the Washington state patrol. The
11 Washington state patrol must be reimbursed for the use of the vehicle
12 at the prevailing state employee rate for mileage and hours of usage,
13 subject to guidelines developed by the chief of the Washington state
14 patrol.

15 (2) \$580,000 of the state patrol highway account—state
16 appropriation is provided solely for the operation of and
17 administrative support to the license investigation unit to enforce
18 vehicle registration laws in southwestern Washington. The Washington
19 state patrol, in consultation with the department of revenue, shall
20 maintain a running estimate of the additional vehicle registration
21 fees, sales and use taxes, and local vehicle fees remitted to the
22 state pursuant to activity conducted by the license investigation
23 unit. Beginning October 1, 2021, and quarterly thereafter, the
24 Washington state patrol shall submit a report detailing the
25 additional revenue amounts generated since January 1, 2021, to the
26 director of the office of financial management and the transportation
27 committees of the legislature. At the end of the calendar quarter in
28 which it is estimated that more than \$625,000 in state sales and use
29 taxes have been remitted to the state since January 1, 2021, the
30 Washington state patrol shall notify the state treasurer and the
31 state treasurer shall transfer funds pursuant to section 406, chapter
32 333, Laws of 2021.

33 (3) \$4,000,000 of the state patrol highway account—state
34 appropriation is provided solely for a third arming and a third
35 trooper basic training class. The cadet class is expected to graduate
36 in June 2023.

37 (4) By December 1st of each year during the 2021-2023 biennium,
38 the Washington state patrol must report to the house and senate

1 transportation committees on the status of recruitment and retention
2 activities as follows:

3 (a) A summary of recruitment and retention strategies;

4 (b) The number of transportation funded staff vacancies by major
5 category;

6 (c) The number of applicants for each of the positions by these
7 categories;

8 (d) The composition of workforce;

9 (e) Other relevant outcome measures with comparative information
10 with recent comparable months in prior years; and

11 (f) Activities related to the implementation of the agency's
12 workforce diversity plan, including short-term and long-term,
13 specific comprehensive outreach and recruitment strategies to
14 increase populations underrepresented within both commissioned and
15 noncommissioned employee groups.

16 (5) \$493,000 of the state patrol highway account—state
17 appropriation is provided solely for aerial criminal investigation
18 tools, including software licensing and maintenance, and annual
19 certification, and is subject to the conditions, limitations, and
20 review requirements of section 701, chapter 333, Laws of 2021.

21 (6) (~~(\$6,422,000)~~) \$4,353,000 of the state patrol highway account
22 —state appropriation is provided solely for the land mobile radio
23 system replacement, upgrade, and other related activities. Beginning
24 January 1, 2022, the Washington state patrol must report semiannually
25 to the office of the state chief information officer on the progress
26 related to the projects and activities associated with the land
27 mobile radio system, including the governance structure, outcomes
28 achieved in the prior six month time period, and how the activities
29 are being managed holistically as recommended by the office of the
30 chief information officer. At the time of submittal to the office of
31 the state chief information officer, this report shall be transmitted
32 to the office of financial management and the house and senate
33 transportation committees.

34 (7) \$510,000 of the ignition interlock device revolving account—
35 state appropriation is provided solely for the ignition interlock
36 program at the Washington state patrol to provide funding for two
37 staff to work and provide support for the program in working with
38 manufacturers, service centers, technicians, and participants in the
39 program.

1 (8) \$1,348,000 of the Interstate 405 and state route number 167
2 express toll lanes account—state appropriation, \$433,000 of the state
3 route number 520 corridor account—state appropriation, and \$77,000 of
4 the Tacoma Narrows toll bridge account—state appropriation are
5 provided solely for the Washington state patrol's proportional share
6 of time spent supporting tolling operations and enforcement for the
7 respective tolling facilities.

8 (9) \$289,000 of the state patrol highway account—state
9 appropriation is provided solely for the replacement of 911
10 workstations.

11 (10) \$35,000 of the state patrol highway account—state
12 appropriation is provided solely for the replacement of bomb response
13 equipment.

14 (11) \$713,000 of the state patrol highway account—state
15 appropriation is provided solely for information technology
16 infrastructure maintenance.

17 (12) The Washington state patrol must provide a report to the
18 office of financial management and the house and senate
19 transportation committees on its plan for implementing a transition
20 to cloud computing and storage with its 2023-2025 budget submittal.

21 (13) \$945,000 of the state patrol highway account—state
22 appropriation is provided solely for implementation of chapter 329,
23 Laws of 2021 (custodial interrogations).

24 (14) \$46,000 of the state patrol highway account—state
25 appropriation is provided solely for implementation of chapter 320,
26 Laws of 2021 (peace officer tactics).

27 (15) \$46,000 of the state patrol highway account—state
28 appropriation is provided solely for implementation of chapter 324,
29 Laws of 2021 (use of force by officers).

30 (16)(a) The legislature finds that the water connection extension
31 constructed by the Washington state patrol from the city of Shelton's
32 water facilities to the Washington state patrol academy was necessary
33 to meet the water supply needs of the academy. The legislature also
34 finds that the water connection provides an ongoing water supply that
35 is necessary to the operation of the training facility, that the
36 state is making use of the water connection for these public
37 activities, and that any future incidental use of the municipal
38 infrastructure put in place to support these activities will not

1 impede the Washington state patrol's ongoing use of the water
2 connection extension.

3 (b) \$2,220,000 of the transfer from the waste tire removal
4 account to the motor vehicle (~~(fund)~~) account, as required under RCW
5 70A.205.425, reimburses the motor vehicle (~~(fund)~~) account for the
6 portion of the water project costs assigned by the agreement to
7 properties, other than the Washington state patrol academy, that make
8 use of the water connection while the agreement remains in effect.
9 This reimbursement to the motor vehicle (~~(fund)~~) account is intended
10 to address any possibility that the termination of this agreement
11 could be determined to result in the unconstitutional use of 18th
12 amendment designated funds for nonhighway purposes under the
13 constitution of the state of Washington; however, this transfer is
14 not intended to indicate that the incidental use of this
15 infrastructure by these properties necessarily requires such
16 reimbursement under the state Constitution. Immediately following the
17 transfer of funds, Washington state patrol and the city of Shelton
18 shall meet to formally update the terms of their "Agreement for
19 Utility Connection and Reimbursement of Water Extension Expenses"
20 executed on June 12, 2017, to reflect the intent of the proviso.

21 (17) The appropriations in this section provide sufficient
22 funding for state patrol staffing assuming vacancy savings which may
23 change over time. Funding for staffing will be monitored and adjusted
24 in the 2023 supplemental budget to restore funding as authorized
25 staffing levels are achieved.

26 (18) \$331,000 of the state patrol highway account—state
27 appropriation is provided solely for the state patrol's diversity,
28 equity, and inclusion program and a contract with an external
29 psychologist to perform exams. If chapter 146, Laws of 2022 is not
30 enacted by June 30, 2022, the amount provided in this subsection
31 lapses.

32 (19) \$793,000 of the state patrol highway account—state
33 appropriation is provided solely for the tenant improvements and
34 higher than expected equipment costs for the toxicology lab in
35 Federal Way, and preparing a report on the current cost recovery
36 mechanisms and opportunities for expanding these cost recovery
37 mechanisms in the future. The report must be submitted to the
38 governor and the transportation committees of the legislature by
39 November 1, 2022.

1 (20) \$14,788,000 of the state patrol highway account—state
2 appropriation is provided solely for contingency funding to address
3 emergent issues related to mitigating negative impacts of the high
4 level of commissioned and noncommissioned staff vacancies. Potential
5 uses of the funding include, but are not limited to, the following:
6 Operating a miniacademy and training opportunities for lateral
7 transfers from other agencies; increased overtime, travel, and other
8 related costs; increased contracting to maintain adequate service
9 levels; and unanticipated facility and equipment needs. By January 1,
10 2023, the state patrol must submit a report to the governor and the
11 transportation committees of the legislature detailing the specific
12 expenditures made from the contingency funding provided in this
13 subsection. The report must also include a description of the
14 miniacademy training, including the number of lateral transfers that
15 entered the training, the number which completed training, the cost
16 of the miniacademy, and a comparison of how the training was
17 different from a conventional academy class.

18 (21) \$122,000 of the state patrol highway account—state
19 appropriation, \$1,000 of the highway safety account—state
20 appropriation, and \$4,000 of the ignition interlock account—state
21 appropriation are provided solely for implementation of chapter . . .
22 (House Bill No. 1804), Laws of 2022 (interruptive military service
23 credit for members of the state retirement systems). If chapter . . .
24 (House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022,
25 the amount provided in this subsection lapses.

26 (22) \$250,000 of the state patrol highway account—state
27 appropriation is provided solely for implementation of chapter 80,
28 Laws of 2022 (peace officers/use of force). If chapter 80, Laws of
29 2022 is not enacted by June 30, 2022, the amount provided in this
30 subsection lapses.

31 (23) \$949,000 of the state patrol highway account—state is
32 provided solely for vehicle identification number inspection staff to
33 reduce the backlog of inspections and a study of how to incorporate
34 best practices into the program, including the timeliness of
35 inspections.

36 (24) \$595,000 of the state patrol highway account—state
37 appropriation is provided solely for legal expenses associated with
38 McClain v. Washington State Patrol.

1 *Sec. 804. 2022 c 186 s 208 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING**

4 Department of Licensing Technology Improvement and

5 Data Management Account—State Appropriation. \$874,000

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

7 Motorcycle Safety Education Account—State
8 Appropriation. \$5,016,000

9 Limited Fish and Wildlife Account—State
10 Appropriation. \$922,000

11 **Highway Safety Account—State Appropriation.** (~~(\$242,712,000)~~)
12 **\$241,996,000**

13 Highway Safety Account—Federal Appropriation. \$1,294,000

14 **Motor Vehicle Account—State Appropriation.** (~~(\$80,449,000)~~)
15 **\$79,969,000**

16 Motor Vehicle Account—Federal Appropriation. \$400,000

17 Motor Vehicle Account—Private/Local Appropriation. \$1,336,000

18 Ignition Interlock Device Revolving Account—State
19 Appropriation. \$6,123,000

20 **Department of Licensing Services Account—State**
21 **Appropriation.** (~~(\$7,964,000)~~)

22 **\$7,916,000**

23 **License Plate Technology Account—State Appropriation. (~~(\$4,092,000)~~)**
24 **\$4,068,000**

25 Abandoned Recreational Vehicle Disposal Account—
26 State Appropriation. \$3,078,000

27 Limousine Carriers Account—State Appropriation. \$110,000

28 Electric Vehicle Account—State Appropriation. \$425,000

29 (~~(DOL Technology Improvement & Data Management~~
30 ~~Account—State Appropriation. \$874,000)~~)

31 **Agency Financial Transaction Account—State**
32 **Appropriation.** (~~(\$22,257,000)~~)

33 **\$21,360,000**

34 Move Ahead WA Flexible Account—State Appropriation. \$1,260,000

35 TOTAL APPROPRIATION. (~~(\$377,086,000)~~)
36 **\$376,181,000**

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

1 (1) \$1,100,000 of the highway safety account—state appropriation
2 is provided solely for the department to provide an interagency
3 transfer to the department of social and health services, children's
4 administration division for the purpose of providing driver's license
5 support to a larger population of foster youth than is already served
6 within existing resources. Support services include reimbursement of
7 driver's license issuance costs, fees for driver training education,
8 and motor vehicle liability insurance costs.

9 (2) The appropriations in this section assume implementation by
10 the department of cost recovery mechanisms to recoup at least
11 \$21,257,000 during the 2021-2023 biennium in credit card and other
12 financial transaction costs as part of charges imposed for driver and
13 vehicle fee transactions. During the 2021-2023 fiscal biennium, the
14 department must report any amounts recovered to the office of
15 financial management and appropriate committees of the legislature on
16 a quarterly basis.

17 (3) (a) For the 2021-2023 biennium, the department shall charge
18 \$1,336,000 for the administration and collection of a motor vehicle
19 excise tax on behalf of a regional transit authority, as authorized
20 under RCW 82.44.135. The amount in this subsection must be deducted
21 before distributing any revenues to a regional transit authority.

22 (b) \$100,000 of the motor vehicle account—state appropriation is
23 provided solely for the department to work with the regional transit
24 authority imposing a motor vehicle excise tax pursuant to RCW
25 81.104.160 and transportation benefit districts imposing vehicle fees
26 pursuant to RCW 82.80.140, and other relevant parties, to determine
27 cost recovery options for the administration and collection of the
28 taxes and fees. The options must include:

29 (i) Full cost recovery for the direct and indirect expenses by
30 the department of licensing, subagents, and counties;

31 (ii) Marginal cost recovery for the direct and indirect expenses
32 by the department of licensing, subagents, and counties;

33 (iii) The estimated costs if the regional transit authority or
34 transportation benefit districts had to contract out the entire
35 collection and administrative activity with a nongovernmental entity.

36 (4) \$12,000 of the motorcycle safety education account—state
37 appropriation, \$2,000 of the limited fish and wildlife account—state
38 appropriation, \$728,000 of the highway safety account—state
39 appropriation, \$238,000 of the motor vehicle account—state

1 appropriation, \$10,000 of the ignition interlock device revolving
2 account—state appropriation, and \$10,000 of the department of
3 licensing services account—state appropriation are provided solely
4 for the department to redesign and improve its online services and
5 website, and are subject to the conditions, limitations, and review
6 requirements of section 701, chapter 333, Laws of 2021.

7 (5) \$28,636,000 of the highway safety account—state appropriation
8 is provided solely for costs necessary to accommodate increased
9 demand for enhanced drivers' licenses and enhanced identicards. The
10 department shall report on a quarterly basis on the use of these
11 funds, associated workload, and information with comparative
12 information with recent comparable months in prior years. The report
13 must include detailed statewide and by licensing service office
14 information on staffing levels, average monthly wait times, the
15 number of enhanced drivers' licenses and enhanced identicards issued/
16 renewed, and the number of primary drivers' licenses and identicards
17 issued/renewed. Within the amounts provided in this subsection, the
18 department shall implement efficiency measures to reduce the time for
19 licensing transactions and wait times including, but not limited to,
20 the installation of additional cameras at licensing service offices
21 that reduce bottlenecks and align with the "keep your customer"
22 initiative.

23 (6) \$500,000 of the highway safety account—state appropriation is
24 provided solely for communication and outreach activities necessary
25 to inform the public of federally acceptable identification options
26 including, but not limited to, enhanced drivers' licenses and
27 enhanced identicards. The department shall continue the outreach plan
28 that includes informational material that can be effectively
29 communicated to all communities and populations in Washington. To
30 accomplish this work, the department shall contract with an external
31 vendor with demonstrated experience and expertise in outreach and
32 marketing to underrepresented communities in a culturally responsive
33 fashion.

34 (7) \$523,000 of the highway safety account—state appropriation is
35 provided solely for the implementation of chapter 158, Laws of 2021
36 (DOL issued documents).

37 (8) \$929,000 of the highway safety account—state appropriation is
38 provided solely for the implementation of chapter 240, Laws of 2021
39 (suspension of licenses for traffic infractions).

1 (9) \$23,000 of the highway safety account—state appropriation is
2 provided solely for the implementation of chapter 10, Laws of 2021
3 (restoring voter eligibility after felony conviction).

4 (10) \$3,074,000 of the abandoned recreational vehicle disposal
5 account—state appropriation is provided solely for providing
6 reimbursements in accordance with the department's abandoned
7 recreational vehicle disposal reimbursement program. It is the intent
8 of the legislature that the department prioritize this funding for
9 allowable and approved reimbursements and not to build a reserve of
10 funds within the account. During the 2021-2023 fiscal biennium, the
11 department must report any amounts recovered to the office of
12 financial management and appropriate committees of the legislature on
13 a quarterly basis.

14 (11)(a) \$54,000 of the motor vehicle account—state appropriation
15 is provided solely for the issuance of nonemergency medical
16 transportation vehicle decals to implement the high occupancy vehicle
17 lane access pilot program established in section 216, chapter 333,
18 Laws of 2021. A for hire nonemergency medical transportation vehicle
19 is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that
20 provides nonemergency medical transportation, including for life-
21 sustaining transportation purposes, to meet the medical
22 transportation needs of individuals traveling to medical practices
23 and clinics, cancer centers, dialysis facilities, hospitals, and
24 other care providers.

25 (b) As part of this pilot program, the owner of a for hire
26 nonemergency medical transportation vehicle may apply to the
27 department, county auditor or other agent, or subagent appointed by
28 the director, for a high occupancy vehicle exempt decal for a for
29 hire nonemergency medical transportation vehicle. The high occupancy
30 vehicle exempt decal allows the for hire nonemergency medical
31 transportation vehicle to use a high occupancy vehicle lane as
32 specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal
33 biennium.

34 (c) For the exemption in this subsection to apply to a for hire
35 nonemergency medical transportation vehicle, the decal:

36 (i) Must be displayed on the vehicle so that it is clearly
37 visible from outside the vehicle;

38 (ii) Must identify that the vehicle is exempt from the high
39 occupancy vehicle requirements; and

1 (iii) Must be visible from the rear of the vehicle.

2 (d) The owner of a for hire nonemergency medical transportation
3 vehicle or the owner's representative must apply for a high occupancy
4 vehicle exempt decal on a form provided or approved by the
5 department. The application must include:

6 (i) The name and address of the person who is the owner of the
7 vehicle;

8 (ii) A full description of the vehicle, including its make,
9 model, year, and the vehicle identification number;

10 (iii) The purpose for which the vehicle is principally used;

11 (iv) An attestation signed by the vehicle's owner or the owner's
12 representative that the vehicle's owner has a minimum of one contract
13 or service agreement to provide for hire transportation services for
14 medical purposes with one or more of the following entities: A health
15 insurance company; a hospital, clinic, dialysis center, or other
16 medical institution; a day care center, retirement home, or group
17 home; a federal, state, or local agency or jurisdiction; or a broker
18 who negotiates these services on behalf of one or more of these
19 entities; and

20 (v) Other information as required by the department upon
21 application.

22 (e) The department, county auditor or other agent, or subagent
23 appointed by the director shall collect the fee required under (f) of
24 this subsection when issuing a high occupancy vehicle exempt decal.

25 (f) The department, county auditor or other agent, or subagent,
26 is required to collect a \$5 fee when issuing a decal under this
27 subsection, in addition to any other fees and taxes required by law.

28 (g) A high occupancy vehicle exempt decal expires June 30, 2023,
29 and must be marked to indicate its expiration date. The decal may be
30 renewed if the pilot program is continued past the date of a decal's
31 expiration. The status as an exempt vehicle continues until the high
32 occupancy vehicle exempt decal is suspended or revoked for misuse,
33 the vehicle is no longer used as a for hire nonemergency medical
34 transportation vehicle, or the pilot program established in section
35 216, chapter 333, Laws of 2021 is terminated.

36 (h) The department may adopt rules to implement this subsection.

37 (12) \$434,000 of the highway safety account—state appropriation
38 is provided solely for the implementation of the Thurston county
39 superior court order in *Pierce et al. v. Department of Licensing*.

1 (13) The department shall consult with the department of
2 corrections and state board for community and technical colleges to
3 develop a pilot program that allows incarcerated individuals who are
4 not prohibited by state or federal law from receiving a commercial
5 driver's license upon release to participate in a prerelease
6 commercial driver training program. The department must submit a
7 report to the legislature by June 30, 2023, detailing the status of
8 the program.

9 (14) \$100,000 of the highway safety account—state appropriation
10 is provided solely for the department to lead a study on the
11 potential impacts that current licensing requirements, including
12 required training hours, and testing requirements may have on the
13 shortage of commercial drivers, and whether adjustments to these
14 requirements may be warranted to help alleviate the shortage. In
15 completing the study, the department must consult with the workforce
16 training board, state board for community and technical colleges,
17 federal motor carrier safety officials, organizations representing
18 veterans, organizations representing commercial drivers, and
19 organizations representing businesses or government entities that
20 rely on commercial drivers. The report must be submitted to the
21 governor and the transportation committees of the legislature by
22 December 1, 2022.

23 (15) \$965,000 of the motor vehicle account—state appropriation is
24 provided solely for the increased costs associated with delays in the
25 production of license plates, and to provide a report detailing
26 license plate inventory practices and whether those practices should
27 be changed to guard against potential future plate production delays.
28 The report must be submitted to the governor and the transportation
29 committees of the legislature by December 1, 2022.

30 (16) \$28,000 of the motor vehicle account—state appropriation is
31 provided solely for the implementation of chapter 96, Laws of 2022
32 (state leadership board) and making improvements to the annual
33 information submitted by special license plate sponsoring
34 organizations pursuant to RCW 46.18.120(2). The improvements must
35 include, but are not limited to, the following: An annual budget for
36 the sponsoring organization's activities in the preceding year;
37 information regarding private and other governmental support for the
38 activities of the sponsoring organization; and a description of the
39 number of people served or services delivered, as appropriate, by the

1 sponsoring organization in the preceding year. If chapter 96, Laws of
2 2022 is not enacted by June 30, 2022, the amount provided in this
3 subsection lapses.

4 (17) \$268,000 of the highway safety account—state appropriation
5 is provided solely for the implementation of chapter . . . (Engrossed
6 Senate Bill No. 5054), Laws of 2022 (impaired driving). If
7 chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (18) \$113,000 of the highway safety account—state appropriation
11 is provided solely for the implementation of chapter 51, Laws of 2022
12 (human trafficking disqualification for a commercial driver's
13 license). If chapter 51, Laws of 2022 is not enacted by June 30,
14 2022, the amount provided in this subsection lapses.

15 (19) \$18,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 239, Laws of 2022
17 (Patches pal special license plates). If chapter 239, Laws of 2022 is
18 not enacted by June 30, 2022, the amount provided in this subsection
19 lapses.

20 (20) \$350,000 of the highway safety account—state appropriation
21 is provided solely to expand driver's license assistance and support
22 services in King county with an existing provider that is already
23 providing these services to low-income immigrant and refugee women.
24 By March 1, 2023, the contracted provider must submit information on
25 the annual budget in the preceding year; information regarding
26 private and other governmental support for the activities of the
27 provider; and a description of the number of people served, services
28 delivered, and outcome measures.

29 (21) \$6,139,000 of the highway safety account—state
30 appropriation, \$1,849,000 of the motor vehicle account—state
31 appropriation, \$203,000 of the department of licensing services
32 account—state appropriation, and \$105,000 of the department of
33 licensing technology improvement and data management account—state
34 appropriation are provided solely for contingency funding to address
35 emergent issues related to mitigating negative impacts of the high
36 level of staff vacancies and agency operations and customer service
37 levels. Potential uses of the funding include, but are not limited
38 to, the following: Increased overtime, travel, and other related
39 costs; increased contracting to maintain adequate service levels; and

1 unanticipated facility and equipment needs. By January 1, 2023, the
2 department shall submit a report to the governor and the legislative
3 transportation committees detailing the specific expenditures made
4 from the contingency funding provided in this subsection.

5 (22) \$28,000 of the motor vehicle account—state appropriation is
6 provided solely for the implementation of chapter 191, Laws of 2022
7 (veterans and military suicide). If chapter 191, Laws of 2022 is not
8 enacted by June 30, 2022, the amount provided in this subsection
9 lapses.

10 (23) \$83,000 of the motor vehicle account—state appropriation is
11 provided solely for the implementation of chapter 36, Laws of 2022
12 (vehicle registration certificate addresses). If chapter 36, Laws of
13 2022 is not enacted by June 30, 2022, the amount provided in this
14 subsection lapses.

15 (24) \$57,000 of the motor vehicle account—state appropriation is
16 provided solely for the implementation of chapter 40, Laws of 2022
17 (off-road vehicles fees). If chapter 40, Laws of 2022 is not enacted
18 by June 30, 2022, the amount provided in this subsection lapses.

19 (25) \$18,000 of the motor vehicle account—state appropriation is
20 provided solely for the implementation of chapter 117, Laws of 2022
21 (wine special license plate). If chapter 117, Laws of 2022 is not
22 enacted by June 30, 2022, the amount provided in this subsection
23 lapses.

24 (26) \$316,000 of the motor vehicle account—state appropriation is
25 provided solely for the implementation of chapter 132, Laws of 2022
26 (temporary license plates). If chapter 132, Laws of 2022 is not
27 enacted by June 30, 2022, the amount provided in this subsection
28 lapses.

29 (27) \$251,000 of the highway safety account—state appropriation
30 is provided solely for the department to: (a) Provide each driver's
31 license, identicard, instruction permit, intermediate license, and
32 commercial driver's license applicant with written materials
33 regarding the contents and requirements of RCW 46.61.212, the slow
34 down and move over law, at the completion of the applicant's
35 licensing transaction; (b) place signage in each of the licensing
36 service offices that provide background on the written materials that
37 the applicant will receive regarding the slow down and move over law;
38 and (c) initiate the development of an appropriate training module

1 relating to the requirements of RCW 46.61.212, for inclusion in all
2 new driver training curricula.

3 (28) \$550,000 of the move ahead WA flexible account—state
4 appropriation is provided solely for an interagency transfer to the
5 department of children, youth, and families to provide driver's
6 license support to a larger population of foster youth than is
7 currently being served. Support services include reimbursement of
8 driver's license issuance costs, fees for driver training education,
9 and motor vehicle liability insurance costs.

10 (29) \$569,000 of the move ahead WA flexible account—state
11 appropriation and \$103,000 of the agency financial transaction
12 account—state appropriation are provided solely for estimated
13 implementation costs associated with new revenues.

14 (30) \$141,000 of the move ahead WA flexible account—state
15 appropriation is provided solely for chapter 57, Laws of 2022
16 (homeless identicard).

**Sec. 804 was partially vetoed. See message at end of chapter.*

17 **Sec. 805.** 2022 c 186 s 209 (uncodified) is amended to read as
18 follows:

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

21	State Route Number 520 Corridor Account—State	
22	Appropriation.	((\$58,356,000))
23		<u>\$55,324,000</u>
24	State Route Number 520 Civil Penalties Account—State	
25	Appropriation.	\$4,163,000
26	Tacoma Narrows Toll Bridge Account—State	
27	Appropriation.	((\$31,102,000))
28		<u>\$33,330,000</u>
29	Alaskan Way Viaduct Replacement Project Account—	
30	State Appropriation.	((\$21,806,000))
31		<u>\$23,725,000</u>
32	Interstate 405 and State Route Number 167 Express	
33	Toll Lanes Account—State Appropriation.	((\$24,647,000))
34		<u>\$23,146,000</u>
35	TOTAL APPROPRIATION.	((\$140,074,000))
36		<u>\$139,688,000</u>

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

3 (1) \$1,300,000 of the Tacoma Narrows toll bridge account—state
4 appropriation and \$12,484,000 of the state route number 520 corridor
5 account—state appropriation are provided solely for the purposes of
6 addressing unforeseen operations and maintenance costs on the Tacoma
7 Narrows bridge and the state route number 520 bridge, respectively.
8 The office of financial management shall place the amounts provided
9 in this subsection, which represent a portion of the required minimum
10 fund balance under the policy of the state treasurer, in unallotted
11 status. The office may release the funds only when it determines that
12 all other funds designated for operations and maintenance purposes
13 have been exhausted.

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

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

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

35 (c) Total express toll lane and total general purpose lane
36 traffic volumes, as well as per lane traffic volumes for each type of
37 lane (i) compared to total express toll lane and total general
38 purpose lane traffic volumes, as well as per lane traffic volumes for
39 each type of lane, on this segment of Interstate 405 prior to

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

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

8 (3) (a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state
9 route number 167 express toll lanes account—state appropriation,
10 (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor
11 account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma
12 Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~)
13 \$1,155,000 of the Alaskan Way viaduct replacement project account—
14 state appropriation are provided solely for the reappropriation of
15 unspent funds on the new tolling back office system from the
16 2019-2021 biennium.

17 (b) The office of financial management shall place the amounts
18 provided in this subsection in unallotted status until the department
19 submits a detailed progress report on the progress of the new tolling
20 back office system. The director of the office of financial
21 management or their designee shall consult with the chairs and
22 ranking members of the transportation committees of the legislature
23 prior to making a decision to allot these funds.

24 (4) \$121,000 of the Interstate 405 and state route number 167
25 express toll lanes account—state appropriation, \$288,000 of the state
26 route number 520 corridor account—state appropriation, \$128,000 of
27 the Tacoma Narrows toll bridge account—state appropriation, and
28 \$163,000 of the Alaskan Way viaduct replacement project account—state
29 appropriation are provided solely for the department to contract with
30 the state auditor's office for a performance audit of the
31 department's project to replace its electronic toll collection
32 system. The audit should include an evaluation of the department's
33 project planning, vendor procurement, contract management and project
34 oversight. The final report is to be issued by December 31, 2022. The
35 state auditor will transmit copies of the report to the
36 jurisdictional committees of the legislature and the department.

37 (5) The department shall make detailed annual reports to the
38 transportation committees of the legislature and the public on the
39 department's web site on the following:

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

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

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

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

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

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

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

22 (iv) Workload costs related to hearings;

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

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

25 (e) A summary of toll revenue by facility on all operating toll
26 facilities and express toll lane systems, and an itemized depiction
27 of the use of that revenue.

28 (6) During the 2021-2023 fiscal biennium, the department plans to
29 issue a request for proposals as the first stage of a competitive
30 procurement process that will replace the toll equipment and select a
31 new tolling operator for the Tacoma Narrows Bridge. The request for
32 proposals and subsequent competitive procurement must incorporate
33 elements that prioritize the overall goal of lowering costs per
34 transaction for the facility, such as incentives for innovative
35 approaches which result in lower transactional costs, requests for
36 efficiencies on the part of the bidder that lower operational costs,
37 and incorporation of technologies such as self-serve credit card
38 machines or other point-of-payment technologies that lower costs or
39 improve operational efficiencies.

1 (7) \$19,908,000 of the Alaskan Way viaduct replacement project
2 account—state appropriation is provided solely for the new state
3 route number 99 tunnel toll facility's expected share of collecting
4 toll revenues, operating customer services, and maintaining toll
5 collection systems. The legislature expects to see appropriate
6 reductions to the other toll facility accounts once tolling on the
7 new state route number 99 tunnel toll facility stabilizes and any
8 previously incurred costs for start-up of the new facility are
9 charged back to the Alaskan Way viaduct replacement project account.
10 The office of financial management shall closely monitor the
11 application of the cost allocation model and ensure that the new
12 state route number 99 tunnel toll facility is adequately sharing
13 costs and the other toll facility accounts are not being overspent or
14 subsidizing the new state route number 99 tunnel toll facility.

15 (8) The department shall submit a plan to the legislature for the
16 Interstate 405 and state route number 167 express toll lanes account
17 detailing how bond proceeds can cover the proposed construction plan
18 on the Interstate 405 and state route number 167 express toll lane
19 corridor outlined on LEAP Transportation Document 2021-1 as developed
20 April 23, 2021, by January 1, 2022.

21 (9) (~~(\$4,554,000)~~) \$5,779,000 of the state route number 520
22 corridor account—state appropriation and (~~(\$580,000)~~) \$744,000 of the
23 Tacoma Narrows toll bridge account—state appropriation are provided
24 solely for the increased costs of insurance for the state route
25 number 520 floating bridge and the Tacoma Narrows bridge,
26 respectively. The department shall conduct an evaluation of the short
27 and long-term costs and benefits including risk mitigation of self-
28 insurance as compared to the commercial insurance option for the
29 state route number 520 floating bridge, as allowed under the terms of
30 the state route number 520 master bond resolution. By December 15,
31 2021, the department shall report to the legislature on the results
32 of this evaluation.

33 (10) As part of the department's 2023-2025 biennial budget
34 request, the department shall update the cost allocation
35 recommendations that assign appropriate costs to each of the toll
36 funds for services provided by relevant Washington state department
37 of transportation programs, the Washington state patrol, and the
38 transportation commission. The recommendations shall be based on

1 updated traffic and toll transaction patterns and other relevant
2 factors.

3 (11) All amounts provided for operations and maintenance expenses
4 on the SR 520 facility from the state route number 520 corridor
5 account during the 2021-2023 fiscal biennium in this act, up to a
6 maximum of \$59,567,000, are derived from the receipt of federal
7 American rescue plan act of 2021 funds and not toll revenues.

8 (12) \$14,000 of the Interstate 405 and state route number 167
9 express toll lanes account—state appropriation, \$32,000 of the state
10 route number 520 corridor account—state appropriation, \$22,000 of the
11 Tacoma Narrows toll bridge account—state appropriation, and \$27,000
12 of the Alaskan Way viaduct replacement project account—state
13 appropriation are provided solely to implement chapter 132, Laws of
14 2022 (temporary license plates). If chapter 132, Laws of 2022 is not
15 enacted by June 30, 2022, the amounts provided in this subsection
16 lapse.

17 **Sec. 806.** 2022 c 186 s 210 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM**
20 **C**

21	Transportation Partnership Account—State	
22	Appropriation.	\$1,461,000
23	Motor Vehicle Account—State Appropriation.	((\$101,010,000))
24		<u>\$101,020,000</u>
25	Puget Sound Ferry Operations Account—State	
26	Appropriation.	\$307,000
27	Multimodal Transportation Account—State	
28	Appropriation.	\$7,013,000
29	Transportation 2003 Account (Nickel Account)—State	
30	Appropriation.	\$1,461,000
31	TOTAL APPROPRIATION.	((\$111,252,000))
32		<u>\$111,262,000</u>

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

35 (1) \$4,273,000 of the multimodal transportation account—state
36 appropriation and \$4,273,000 of the motor vehicle account—state
37 appropriation are provided solely for the department's cost related
38 to the one Washington project, and is subject to the conditions,

1 limitations, and review requirements of section 701, chapter 333,
2 Laws of 2021.

3 (2) \$2,404,000 of the motor vehicle account—state appropriation
4 and \$119,000 of the multimodal transportation account—state
5 appropriation are provided solely for contingency funding to address
6 emergent issues related to mitigating negative impacts of the high
7 level of staff vacancies. Potential uses of the funding include, but
8 are not limited to, the following: Increased overtime, travel, and
9 other related costs; increased contracting to maintain adequate
10 service levels; and unanticipated facility and equipment needs. By
11 January 1, 2023, the department must submit a report to the governor
12 and the transportation committees of the legislature detailing the
13 specific expenditures made from the contingency funding provided in
14 this subsection.

15 **Sec. 807.** 2022 c 186 s 211 (uncodified) is amended to read as
16 follows:

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

19 Motor Vehicle Account—State Appropriation.	((\$36,843,000))
	<u>\$37,921,000</u>
21 State Route Number 520 Corridor Account—State	
22 Appropriation.	\$34,000
23 TOTAL APPROPRIATION.	((\$36,877,000))
24	<u>\$37,955,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$780,000 of the motor vehicle account—
27 state appropriation is provided solely for contingency funding to
28 address emergent issues related to mitigating negative impacts of the
29 high level of staff vacancies. Potential uses of the funding include,
30 but are not limited to, the following: Increased overtime, travel,
31 and other related costs; increased contracting to maintain adequate
32 service levels; and unanticipated facility and equipment needs. By
33 January 1, 2023, the department must submit a report to the governor
34 and the transportation committees of the legislature detailing the
35 specific expenditures made from the contingency funding provided in
36 this subsection.

1 **Sec. 808.** 2022 c 186 s 212 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—**
4 **PROGRAM E**

5 Motor Vehicle Account—State Appropriation. (~~(\$12,396,000)~~)
6 \$13,860,000

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

9 (1) (~~(\$10,396,000)~~) \$11,860,000 of the motor vehicle account—
10 state appropriation is provided solely for the department's costs
11 related to replacing obsolete transportation equipment. The
12 appropriations to the department in this section must be expended to
13 maximize the amount of obsolete equipment replaced in the 2021-2023
14 biennium.

15 (2) \$2,000,000 of the motor vehicle account—state appropriation
16 is provided solely for the department's costs related to replacing
17 snow removal equipment. The appropriations to the department in this
18 section must be expended to maximize the amount of snow removal
19 equipment replaced in the 2021-2023 biennium.

20 **Sec. 809.** 2022 c 186 s 213 (uncodified) is amended to read as
21 follows:

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

23 Aeronautics Account—State Appropriation. (~~(\$8,127,000)~~)
24 \$9,129,000

25 Aeronautics Account—Federal Appropriation. \$3,916,000

26 Aeronautics Account—Private/Local Appropriation. \$60,000

27 Multimodal Transportation Account—State
28 Appropriation. \$150,000

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

30 TOTAL APPROPRIATION. (~~(\$12,253,000)~~)
31 \$13,265,000

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

34 (1) \$2,888,000 of the aeronautics account—state appropriation is
35 provided solely for the airport aid grant program, which provides
36 competitive grants to public use airports for pavement, safety,
37 maintenance, planning, and security.

1 (2) \$257,000 of the aeronautics account—state appropriation is
2 provided solely for supporting the commercial aviation coordinating
3 commission, pursuant to section 718, chapter 333, Laws of 2021.

4 (3) \$280,000 of the aeronautics account—state appropriation is
5 provided solely for the implementation of chapter 131, Laws of 2021
6 (unpiloted aircraft system state coordinator). If chapter 131, Laws
7 of 2021 is not enacted by June 30, 2021, the amount provided in this
8 subsection lapses.

9 (4)(a) \$150,000 of the multimodal transportation account—state
10 appropriation is provided solely for the aviation program to continue
11 the community engagement associated with the work of the commercial
12 aviation coordinating commission to increase aviation capacity and
13 provide a single preferred location for a new primary commercial
14 aviation facility by June 15, 2023. The work of the commission shall
15 include, but is not limited to, recommendations to the legislature on
16 future Washington state long-range commercial aviation facility needs
17 including possible additional aviation facilities or expansion of
18 current aviation facilities.

19 (b) Community engagement efforts may include:

20 (i) Raising awareness among aviation stakeholders and the public
21 on the complex issues that must be addressed by the commission;

22 (ii) Obtaining input from a representative cross section of the
23 public on the construction of a new airport and the expansion of
24 existing airports to meet future aviation demand;

25 (iii) Keeping people informed as the commission's work
26 progresses, including diverse communities that are often
27 underrepresented in processes to inform decision making;

28 (iv) Providing opportunities for members of the public to provide
29 direct input to the commission during the pandemic that limits
30 opportunities for direct social contact;

31 (v) Using surveys, open houses, focus groups, translation
32 services, informational handouts, advertisements, social media, and
33 other appropriate means of communicating with the public; and

34 (vi) Providing a focus on the demographics or people in the
35 geographical areas most impacted by expanding aviation capacity or
36 developing a new aviation facility.

37 (c) The department may use a communications consultant or
38 community-based organizations to assist with community engagement
39 efforts in (b) of this subsection.

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

19 (6) \$1,000,000 of the aeronautics account—state appropriation is
20 provided solely for move ahead WA aviation grants.

21 **Sec. 810.** 2022 c 186 s 214 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND**
24 **SUPPORT—PROGRAM H**

25 Motor Vehicle Account—State Appropriation.	((\$58,254,000))
	<u>\$57,864,000</u>
27 Motor Vehicle Account—Federal Appropriation.	\$500,000
28 Multimodal Transportation Account—State	
29 Appropriation.	\$758,000
30 TOTAL APPROPRIATION.	((\$59,512,000))
	<u>\$59,122,000</u>

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

34 (1) The legislature recognizes that the trail known as the Rocky
35 Reach Trail, and its extensions, serve to separate motor vehicle
36 traffic from pedestrians and bicyclists, increasing motor vehicle
37 safety on state route number 2 and the coincident section of state
38 route number 97. Consistent with chapter 47.30 RCW and pursuant to

1 RCW 47.12.080, the legislature declares that transferring portions of
2 WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and
3 associated buffer areas to the Washington state parks and recreation
4 commission is consistent with the public interest. The legislature
5 directs the department to transfer the property to the Washington
6 state parks and recreation commission.

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

10 (b) Prior to completing the transfer in this subsection (1), the
11 department must ensure that provisions are made to accommodate
12 private and public utilities and any facilities that predate the
13 department's acquisition of the property, at no cost to those
14 entities. Prior to completing the transfer, the department shall also
15 ensure that provisions, by fair market assessment, are made to
16 accommodate other private and public utilities and any facilities
17 that have been legally allowed by permit or other instrument.

18 (c) The department may sell any adjoining property that is not
19 necessary to support the Rocky Reach Trail and adjacent buffer areas
20 only after the transfer of trail-related property to the Washington
21 state parks and recreation commission is complete. Adjoining property
22 owners must be given the first opportunity to acquire such property
23 that abuts their property, and applicable boundary line or other
24 adjustments must be made to the legal descriptions for recording
25 purposes.

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

34 (3) The department shall report to the transportation committees
35 of the legislature by December 1, 2021, on the status of its efforts
36 to consolidate franchises for broadband facilities across the state,
37 including plans for increasing the number of consolidated franchises
38 in the future.

39 (4) During the 2021-2023 biennium, if the department takes
40 possession of the property situated in the city of Edmonds for which

1 a purchase agreement was executed between Unocal and the department
2 in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department
3 confirms that the property is still no longer needed for
4 transportation purposes, the department shall provide the city of
5 Edmonds with the right of first purchase at fair market value in
6 accordance with RCW 47.12.063(3) for the city's intended use of the
7 property to rehabilitate near-shore habitat for salmon and related
8 species.

9 (5) (~~(\$535,000)~~) \$125,000 of the motor vehicle account—state
10 appropriation is provided solely for the implementation of chapter
11 217, Laws of 2021 (noxious weeds).

12 (6) (~~(\$1,026,000)~~) \$526,000 of the motor vehicle account—state
13 appropriation and \$500,000 of the multimodal transportation account—
14 state appropriation (~~is~~) are provided solely for the implementation
15 of chapter 314, Laws of 2021 (environmental justice task force).

16 (7) \$2,399,000 of the motor vehicle account—state appropriation
17 is provided solely for contingency funding to address emergent issues
18 related to mitigating negative impacts of the high level of staff
19 vacancies. Potential uses of the funding include, but are not limited
20 to, the following: Increased overtime, travel, and other related
21 costs; increased contracting to maintain adequate service levels; and
22 unanticipated facility and equipment needs. By January 1, 2023, the
23 department must submit a report to the governor and the
24 transportation committees of the legislature detailing the specific
25 expenditures made from the contingency funding provided in this
26 subsection.

27 (8) The department shall offer to sell the northern parcel of
28 site 14 on the Puget Sound Gateway Program SR 509 Completion Project
29 Surplus Property list, located immediately south of S. 216th Street
30 and adjacent to the Barnes Creek Nature Trail in Des Moines, to
31 Seattle Goodwill Industries, a nonprofit organization with tax ID
32 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in
33 accordance with RCW 47.12.063 at fair market value because the
34 legislature finds it in the public interest to do so for the public
35 benefit that will result from Goodwill's redevelopment of the
36 property it owns at Rainier Ave. South and South Dearborn Street to
37 increase the supply of affordable housing.

1 **Sec. 811.** 2022 c 186 s 215 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—**
4 **PROGRAM K**

5	Motor Vehicle Account—State Appropriation.	\$685,000
6	Electric Vehicle Account—State Appropriation.	(\$11,900,000)
7		<u>\$9,164,000</u>
8	Multimodal Transportation Account—State	
9	Appropriation.	(\$3,290,000)
10		<u>\$2,790,000</u>
11	<u>Multimodal Transportation Account—Federal</u>	
12	<u>Appropriation.</u>	<u>\$500,000</u>
13	TOTAL APPROPRIATION.	(\$15,875,000)
14		<u>\$13,139,000</u>

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

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

20 (2) ~~(\$10,900,000)~~ \$9,154,000 of the electric vehicle account—
21 state appropriation is provided solely for the clean alternative fuel
22 vehicle charging and refueling infrastructure program in chapter 287,
23 Laws of 2019 (advancing green transportation adoption).

24 (3) \$2,400,000 of the multimodal transportation account—state
25 appropriation is provided solely for the pilot program established
26 under chapter 287, Laws of 2019 (advancing green transportation
27 adoption) to provide clean alternative fuel vehicle use opportunities
28 to underserved communities and low to moderate income members of the
29 workforce not readily served by transit or located in transportation
30 corridors with emissions that exceed federal or state emissions
31 standards. Consistent with the geographical diversity element
32 described in RCW 47.04.355(4), the legislature strongly encourages
33 the department to consider implementing the pilot in both urban and
34 rural communities if possible, to obtain valuable information on the
35 needs of underserved communities located in different geographical
36 locations in Washington.

37 (4) ~~(\$1,000,000 of the electric vehicle account state~~
38 ~~appropriation and \$500,000 of the multimodal transportation account—~~
39 ~~state appropriation are provided solely for a colocated DC fast~~

1 charging and hydrogen fueling station near the Wenatchee or East
2 Wenatchee area near a state route or near or on a publicly owned
3 facility to service passenger, light-duty and heavy-duty vehicles.
4 The hydrogen fueling station must include a DC fast charging station
5 collocated at the hydrogen fueling station site. Funds may be used for
6 one or more fuel cell electric vehicles that would utilize the
7 fueling stations. The department must contract with a public utility
8 district that produces hydrogen in the area to own and/or manage and
9 provide technical assistance for the design, planning, permitting,
10 construction, maintenance and operation of the hydrogen fueling
11 station. The department and public utility district are encouraged to
12 collaborate with and seek contributions from additional public and
13 private partners for the fueling station.

14 ~~(5))~~ \$140,000 of the multimodal transportation account—state
15 appropriation is provided solely for the purpose of conducting an
16 assessment of options for the development, including potential
17 features and costs, for a publicly available mapping and forecasting
18 tool that provides locations and essential information of charging
19 and refueling infrastructure to support forecasted levels of electric
20 vehicle adoption, travel, and usage across Washington state as
21 described in chapter 300, Laws of 2021 (preparedness for a zero
22 emissions transportation future).

23 ~~((6))~~ (5) \$250,000 of the multimodal transportation account—
24 state appropriation is provided solely to fund the design of an
25 electric charging mega-site project at Mount Vernon library commons.

26 (6) \$500,000 of the multimodal transportation account—federal
27 appropriation and \$10,000 of the electric vehicle account—state
28 appropriation are provided solely to implement the national electric
29 vehicle program, established in the federal infrastructure investment
30 and jobs act (P.L. 117-58), as directed by the interagency electric
31 vehicle coordinating council created in chapter 43.392 RCW. The
32 amounts provided in this subsection include staff support for the
33 council. The funding provided in this subsection may be used to
34 support the publicly available mapping and forecasting tool under RCW
35 47.01.520, but only to the extent not funded in the omnibus
36 appropriations act.

37 **Sec. 812.** 2022 c 186 s 216 (uncodified) is amended to read as
38 follows:

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

2	Motor Vehicle Account—State Appropriation.	((\$505,015,000))
3		<u>\$508,000,000</u>
4	Motor Vehicle Account—Federal Appropriation.	\$7,000,000
5	Motor Vehicle Account— <u>Private/Local</u> Appropriation.	\$17,000
6	State Route Number 520 Corridor Account—State	
7	Appropriation.	\$4,657,000
8	Tacoma Narrows Toll Bridge Account—State	
9	Appropriation.	\$1,560,000
10	Alaskan Way Viaduct Replacement Project Account—	
11	State Appropriation.	\$8,611,000
12	Interstate 405 and State Route Number 167 Express	
13	Toll Lanes Account—State Appropriation.	\$2,594,000
14	Waste Tire Removal Account—State Appropriation.	\$5,000,000
15	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$47,000,000</u>
16	TOTAL APPROPRIATION.	((\$534,454,000))
17		<u>\$584,439,000</u>

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

20 (1) \$7,529,000 of the motor vehicle account—state appropriation
21 is provided solely for utility fees assessed by local governments as
22 authorized under RCW 90.03.525 for the mitigation of stormwater
23 runoff from state highways. Plan and reporting requirements as
24 required in chapter 435, Laws of 2019 (Local Stormwater Charges)
25 shall be consistent with the January 2012 findings of the Joint
26 Transportation Committee Report for Effective Cost Recovery Structure
27 for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

28 (2) \$5,000,000 of the motor vehicle account—state appropriation
29 is provided solely for a contingency pool for snow and ice removal.
30 The department must notify the office of financial management and the
31 transportation committees of the legislature when they have spent the
32 base budget for snow and ice removal and will begin using the
33 contingency pool funding.

34 (3) \$1,025,000 of the motor vehicle account—state appropriation
35 is provided solely for the department to implement safety
36 improvements and debris clean up on department-owned rights-of-way in
37 the city of Seattle at levels above that being implemented as of
38 January 1, 2019, to be administered in conjunction with subsection
39 (9) of this section. The department must maintain a crew dedicated

1 solely to collecting and disposing of garbage, clearing debris or
2 hazardous material, and implementing safety improvements where
3 hazards exist to the traveling public, department employees, or
4 people encamped upon department-owned rights-of-way. The department
5 may request assistance from the Washington state patrol as necessary
6 in order for both agencies to provide enhanced safety-related
7 activities regarding the emergency hazards along state highway
8 rights-of-way in the Seattle area.

9 (4) \$1,015,000 of the motor vehicle account—state appropriation
10 is provided solely for a partnership program between the department
11 and the city of Tacoma, to be administered in conjunction with
12 subsection (9) of this section. The program shall address the safety
13 and public health problems created by homeless encampments on the
14 department's property along state highways within the city limits.
15 \$570,000 is for dedicated department maintenance staff and associated
16 clean-up costs. The department and the city of Tacoma shall enter
17 into a reimbursable agreement to cover up to \$445,000 of the city's
18 expenses for clean-up crews and landfill costs.

19 (5) The department must continue a pilot program for the
20 2021-2023 fiscal biennium at the four highest demand safety rest
21 areas to create and maintain an online calendar for volunteer groups
22 to check availability of weekends for the free coffee program. The
23 calendar must be updated at least weekly and show dates and times
24 that are, or are not, available to participate in the free coffee
25 program. The department must submit a report to the legislature on
26 the ongoing pilot by December 1, 2022, outlining the costs and
27 benefits of the online calendar pilot, and including surveys from the
28 volunteer groups and agency staff to determine its effectiveness.

29 (6) \$686,000 of the motor vehicle account—state appropriation is
30 provided solely for reimbursing the Oregon department of
31 transportation (ODOT) for the department's share of increased
32 maintenance costs of six highway bridges over the Columbia River that
33 are maintained by ODOT.

34 (7) \$8,290,000 of the motor vehicle account—state appropriation
35 is provided solely for increased costs of highway maintenance
36 materials.

37 (8) \$5,816,000 of the motor vehicle account—state appropriation
38 is provided solely for a contingency pool for repairing damages to
39 highways caused by known and unknown third parties. The department

1 must notify the office of financial management and the transportation
2 committees of the legislature when they have spent the base budget
3 for third-party damage repair and will begin using the contingency
4 pool funding.

5 (9) (a) \$3,000,000 of the motor vehicle account—state
6 appropriation and \$5,000,000 of the waste tire removal account—state
7 appropriation are provided solely for the department to address the
8 risks to safety and public health associated with homeless
9 encampments on department owned rights-of-way. The department must
10 coordinate and work with local government officials and social
11 service organizations who provide services and direct people to
12 housing alternatives that are not in highway rights-of-way to help
13 prevent future encampments from forming on highway rights-of-way, and
14 may reimburse the organizations doing this outreach assistance who
15 transition people into treatment or housing or for debris clean up on
16 highway rights-of-way. A minimum of \$2,000,000 of this appropriation
17 must be used to provide more frequent removal of litter on the
18 highway rights-of-way that is generated by unsheltered people and may
19 be used to hire crews specializing in collecting and disposing of
20 garbage, clearing debris or hazardous material, and implementing
21 safety improvements where hazards exist to the traveling public and
22 department employees. The department may use these funds to either
23 reimburse local law enforcement costs or the Washington state patrol
24 if they are providing enhanced safety to department staff during
25 debris cleanup or during efforts to prevent future encampments from
26 forming on highway rights-of-way.

27 (b) Beginning November 1, 2022, and semiannually thereafter, the
28 Washington state patrol and the department of transportation must
29 jointly submit a report to the governor and the house and senate
30 transportation committees of the legislature on the status of these
31 efforts, including:

32 (i) A detailed breakout of the size, location, risk level
33 categorization, and number of encampments on or near department-owned
34 rights-of-way, compared to the levels during the quarter being
35 reported;

36 (ii) A summary of the activities in that quarter related to
37 addressing these encampments, including information on arrangements
38 with local governments or other entities related to these activities;

1 (iii) A description of the planned activities in the ensuing
2 quarter to further address the emergency hazards and risks along
3 state highway rights-of-way; and

4 (iv) Recommendations for executive branch or legislative action
5 to achieve the desired outcome of reduced emergency hazards and risks
6 along state highway rights-of-way.

7 (10) (a) \$2,000,000 of the motor vehicle account—state
8 appropriation is provided solely for the department to contract with
9 the city of Fife to address the risks to safety and public health
10 associated with homeless encampments on department-owned rights-of-
11 way along the SR 167/SR 509 Puget Sound Gateway project corridor in
12 and adjacent to the city limits.

13 (b) The city must coordinate and work with the department and
14 local governments and social service organizations who provide
15 services and direct people to housing alternatives that are not in
16 highway rights-of-way to help prevent future encampments from forming
17 on highway rights-of-way. State funds may be used to reimburse the
18 organizations doing this outreach assistance who transition people
19 into treatment or housing that is not on the rights-of-way or for
20 debris clean up on highway rights-of-way.

21 (c) The department may hire crews specializing in collecting and
22 disposing of garbage, clearing debris or hazardous material, and
23 implementing safety improvements where hazards exist to the traveling
24 public and department employees.

25 (d) Funds may also be used to reimburse local law enforcement
26 costs or the Washington state patrol if they are participating as
27 part of a state or local government agreement to provide enhanced
28 safety related activities along state highway rights-of-way.

29 (e) It is the intent of the legislature that the city and
30 collaborating partners should place particular emphasis on utilizing
31 available funds for addressing large scale and multiple homeless
32 encampments that impact public safety and health. Funding for
33 initiatives associated with such encampments may include targeted
34 assistance to local governments and social service organizations,
35 directing moneys toward not only initial efforts to clear
36 encampments, clean up debris and restore sightlines, but to ongoing
37 work, monitoring, and maintenance of efforts to place individuals in
38 housing, treatment and services, and to better ensure individuals
39 experiencing homelessness receive needed assistance while sites
40 remain safe and secure for the traveling public.

1 (11) \$12,096,000 of the motor vehicle account—state appropriation
2 is provided solely for contingency funding to address emergent issues
3 related to mitigating negative impacts of the high level of staff
4 vacancies. Potential uses of the funding include, but are not limited
5 to, the following: Increased overtime, travel and other related
6 costs; increased contracting to maintain adequate service levels; and
7 unanticipated facility and equipment needs. By January 1, 2023, the
8 department must submit a report to the governor and the
9 transportation committees of the legislature detailing the specific
10 expenditures made from the contingency funding provided in this
11 subsection.

12 ~~(12) ((\$5,400,000 of the motor vehicle account state~~
13 ~~appropriation is provided solely for replacement of traffic signs and~~
14 ~~to increase the visibility of road pavement markings. Investments~~
15 ~~must replace traffic signs that do not meet the department's~~
16 ~~standards or that are faded, lacking in reflectivity, cracked,~~
17 ~~illegible, or damaged. Investments must also increase the visibility~~
18 ~~of road pavement markings during periods of low light conditions and~~
19 ~~during precipitation with pavement marking products that contain all-~~
20 ~~weather optical reflectivity capability. The request for proposals~~
21 ~~and subsequent competitive procurement for the signs shall be~~
22 ~~performed following state specifications and standards.~~

23 ~~(13))~~ \$17,000 of the motor vehicle account—local appropriation
24 is provided solely to update existing signs along Interstate 5 in the
25 vicinity of Seattle center. The department must install new Seattle
26 center logos with a redesigned logo that recognizes climate pledge
27 arena, but is not responsible for design or fabrication of the logo
28 or new sign.

29 ~~((14))~~ (13) \$100,000 of the motor vehicle account—state
30 appropriation is provided solely for the department to install
31 fencing to delineate between the privately leased property owned by
32 the department and the public right-of-way property maintained by the
33 city of Seattle. The parameters of the adjacent properties located
34 under the Interstate 5 corridor, south of milepost 165, are south
35 Jackson street and south King street going north and south, and 8th
36 avenue south and 9th avenue south going west to east in the
37 international district.

38 ~~((15))~~ (14)(a) \$2,500,000 of the motor vehicle account—state
39 appropriation is provided solely for:

1 (i) Additional resources for operations, maintenance, facility
2 replacements, security, and upgrades to safety rest areas to ensure
3 that safety rest areas owned and operated by the department are open
4 for use except for seasonal closures or cleaning, maintenance, and
5 repair; and

6 (ii) Reconfiguration of maintenance operations pursuant to
7 chapter 262, Laws of 2022 (safety rest areas).

8 (b) The department may use the funds for additional labor,
9 services, materials, or equipment needed to allow commercial vehicle
10 parking stalls to remain open when rest areas might otherwise be
11 closed.

12 (c) It is the intent of the legislature that these funds are
13 additional resources for the department and not meant to supplant
14 underlying resources for the maintenance and operations of safety
15 rest areas.

16 (d) The department must make a report to the transportation
17 committees of the legislature regarding the additional operations and
18 maintenance activities made at safety rest areas to ensure that rest
19 areas stayed open by January 15, 2023. The report must include the
20 status per safety rest area of openings and closures that were
21 impacted by the additional activities; the additional activities,
22 including security efforts, that were performed at the rest areas;
23 and an update on the status and a review of the safety rest area
24 strategic plan.

25 (~~(16)~~) (15) (a) \$50,000 of the motor vehicle account—state
26 appropriation is provided solely for the department to install and
27 inspect monthly human trafficking informational posters in every rest
28 room in every safety rest area owned and operated by the department.

29 (b) In developing the informational posters, the department shall
30 consult with human trafficking victim advocates to determine content.

31 (c) The posters must:

32 (i) Be printed in a variety of languages;

33 (ii) Include contact information for seeking help, which may
34 include toll-free telephone numbers a person may call for assistance,
35 including the number for the national human trafficking resource
36 center and the number for the Washington state office of crime
37 victims advocacy; and

38 (iii) Be made of durable material and permanently affixed.

1 (d) The department shall install the informational posters in
2 every restroom at every safety rest area owned and operated by the
3 department by December 31, 2022.

4 (e) Beginning January 1, 2023, or one month after installation of
5 informational posters, whichever is sooner, the department shall
6 inspect the informational posters as part of its monthly maintenance
7 activities to ensure that the posters are in fair condition and
8 remain legible.

9 (f) The department must make a report to the transportation
10 committees of the legislature regarding the installation of
11 informational posters at safety rest areas by January 15, 2023. The
12 report must include the number of informational posters installed,
13 the location of the poster installations, and the completion date of
14 the poster installations.

15 **Sec. 813.** 2022 c 186 s 217 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—**
18 **OPERATING**

19	Motor Vehicle Account—State Appropriation.	((\$73,760,000))
20		<u>\$73,968,000</u>
21	Motor Vehicle Account—Federal Appropriation.	\$2,050,000
22	Motor Vehicle Account—Private/Local Appropriation.	\$295,000
23	State Route Number 520 Corridor Account—State	
24	Appropriation.	\$225,000
25	Tacoma Narrows Toll Bridge Account—State	
26	Appropriation.	\$40,000
27	Alaskan Way Viaduct Replacement Project Account—	
28	State Appropriation.	\$1,112,000
29	Interstate 405 and State Route Number 167 Express	
30	Toll Lanes Account—State Appropriation.	\$20,000
31	Agency Financial Transaction Account—State	
32	Appropriation.	\$100,000
33	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$1,850,000</u>
34	TOTAL APPROPRIATION.	((\$77,602,000))
35		<u>\$79,660,000</u>

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

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

8 (2)(a) During the 2021-2023 fiscal biennium, the department shall
9 continue a pilot program that expands private transportation
10 providers' access to high occupancy vehicle lanes. Under the pilot
11 program, when the department reserves a portion of a highway based on
12 the number of passengers in a vehicle, the following vehicles must be
13 authorized to use the reserved portion of the highway if the vehicle
14 has the capacity to carry eight or more passengers, regardless of the
15 number of passengers in the vehicle: (i) Auto transportation company
16 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
17 carrier vehicles regulated under chapter 81.70 RCW, except marked or
18 unmarked stretch limousines and stretch sport utility vehicles as
19 defined under department of licensing rules; (iii) private nonprofit
20 transportation provider vehicles regulated under chapter 81.66 RCW;
21 and (iv) private employer transportation service vehicles. For
22 purposes of this subsection, "private employer transportation
23 service" means regularly scheduled, fixed-route transportation
24 service that is offered by an employer for the benefit of its
25 employees. Nothing in this subsection is intended to authorize the
26 conversion of public infrastructure to private, for-profit purposes
27 or to otherwise create an entitlement or other claim by private users
28 to public infrastructure.

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

39 (c) The department shall expand the high occupancy vehicle lane
40 access pilot program to organ transport vehicles transporting a time

1 urgent organ for an organ procurement organization as defined in RCW
2 68.64.010. Under the pilot program, when the department reserves a
3 portion of a highway based on the number of passengers in a vehicle,
4 organ transport vehicles that are clearly and identifiably marked as
5 such on all sides of the vehicle are considered emergency vehicles
6 and must be authorized to use the reserved portion of the highway.

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

17 (e) The department shall expand the high occupancy vehicle lane
18 access pilot program to for hire nonemergency medical transportation
19 vehicles, when in use for medical purposes, as described in section
20 208, chapter 333, Laws of 2021. Under the pilot program, when the
21 department reserves a portion of a highway based on the number of
22 passengers in a vehicle, nonemergency medical transportation vehicles
23 that meet the requirements identified in section 208, chapter 333,
24 Laws of 2021 must be authorized to use the reserved portion of the
25 highway.

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

29 (3) \$2,574,000 of the motor vehicle account—state appropriation
30 is provided solely for contingency funding to address emergent issues
31 related to mitigating negative impacts of the high level of staff
32 vacancies. Potential uses of the funding include, but are not limited
33 to, the following: Increased overtime, travel, and other related
34 costs; increased contracting to maintain adequate service levels; and
35 unanticipated facility and equipment needs. By January 1, 2023, the
36 department must submit a report to the governor and the
37 transportation committees of the legislature detailing the specific
38 expenditures made from the contingency funding provided in this
39 subsection.

1 (4) The appropriations in this section assume implementation of
2 additional cost recovery mechanisms to recoup at least \$100,000 in
3 credit card and other financial transaction costs related to the
4 collection of fees imposed under RCW 46.44.0941 for driver and
5 vehicle fee transactions beginning January 1, 2023. The department
6 may recover transaction fees incurred through credit card
7 transactions. At the direction of the office of financial management,
8 the department shall develop a method of tracking the additional
9 amount of credit card and other financial cost-recovery revenues. In
10 consultation with the office of financial management, the department
11 shall notify the office of the state treasurer of these amounts and
12 the state treasurer must deposit these revenues in the agency
13 financial transaction account created in RCW 46.01.385 on a quarterly
14 basis. The department shall also submit, as part of its 2023-2025
15 budget submittal, an overview of the credit card cost recovery
16 approach, including fee rates and the amount of revenue expected to
17 be generated in the 2021-2023 and 2023-2025 biennia.

18 (5) The department shall promote safety messages encouraging
19 drivers to slow down and move over and pay attention when emergency
20 lights are flashing on the side of the road and other suitable safety
21 messages on electronic message boards the department operates across
22 the state. The messages must be promoted multiple times each month
23 through June 30, 2023. The department may coordinate such messaging
24 with any statewide public awareness campaigns being developed by the
25 department of licensing or the Washington state traffic safety
26 commission or both.

27 (6) \$1,850,000 of the move ahead WA—state appropriation is
28 provided solely for traffic operations enhancements. It is the intent
29 of the legislature, over the 16-year move ahead WA investment
30 program, to provide \$30,000,000 for this purpose.

31 **Sec. 814.** 2022 c 186 s 218 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND**
34 **SUPPORT—PROGRAM S**

35 Motor Vehicle Account—State Appropriation.	((\$37,365,000))
36	<u>\$37,371,000</u>
37 Motor Vehicle Account—Federal Appropriation.	\$780,000
38 Motor Vehicle Account—Private/Local Appropriation.	\$500,000

1	Puget Sound Ferry Operations Account—State	
2	Appropriation.	\$266,000
3	Multimodal Transportation Account—State	
4	Appropriation.	\$5,129,000
5	State Route Number 520 Corridor Account—State	
6	Appropriation.	\$186,000
7	Tacoma Narrows Toll Bridge Account—State	
8	Appropriation.	\$150,000
9	Alaskan Way Viaduct Replacement Project Account—	
10	State Appropriation.	\$121,000
11	Interstate 405 and State Route Number 167 Express	
12	Toll Lanes Account—State Appropriation.	\$77,000
13	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$2,000,000</u>
14	TOTAL APPROPRIATION.	((\$44,574,000))
15		<u>\$46,580,000</u>

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

18 (1) \$4,000,000 of the multimodal transportation account—state
19 appropriation is provided solely for efforts to increase diversity in
20 the transportation construction workforce through: (a) The
21 preapprenticeship support services (PASS) program, which aims to
22 increase diversity in the highway construction workforce and prepare
23 individuals interested in entering the highway construction
24 workforce. In addition to the services allowed by RCW 47.01.435, the
25 PASS program may provide housing assistance for youth aging out of
26 the foster care and juvenile rehabilitation systems in order to
27 support the participation of these youth in a transportation-related
28 preapprenticeship program; (b) assisting minority and women-owned
29 businesses to perform work in the highway construction industry. This
30 assistance shall include technical assistance, business training,
31 counseling, guidance, prime to subcontractor relationship building,
32 and a capacity building mentorship program. At a minimum, \$1,000,000
33 of the total appropriation in this subsection shall be directed
34 toward the efforts outlined in (b) of this subsection. The
35 provider(s) chosen to complete the work in this subsection shall be
36 selected through a competitive bidding process. The program shall be
37 administered by the Washington state department of transportation's
38 office of equal opportunity.

1 (2) \$1,446,000 of the motor vehicle account—state appropriation
2 is provided solely for contingency funding to address emergent issues
3 related to mitigating negative impacts of the high level of staff
4 vacancies. Potential uses of the funding include, but are not limited
5 to, the following: Increased overtime, travel, and other related
6 costs; increased contracting to maintain adequate service levels; and
7 unanticipated facility and equipment needs. By January 1, 2023, the
8 department must submit a report to the governor and the
9 transportation committees of the legislature detailing the specific
10 expenditures made from the contingency funding provided in this
11 subsection.

12 (3) \$774,000 of the motor vehicle account—state appropriation and
13 \$266,000 of the Puget Sound ferry operations account—state
14 appropriation are provided solely for the department to hire a
15 workforce development consultant to develop, track, and monitor the
16 progress of community workforce agreements, and to hire staff to
17 assist with the development and implementation of internal diversity,
18 equity, and inclusion efforts and serve as subject matter experts on
19 federal and state civil rights provisions. The department shall
20 engage with relevant stakeholders, and provide a progress report on
21 the implementation of efforts under this subsection to the
22 transportation committees of the legislature and the governor by
23 December 1, 2022.

24 (4) For Washington state department of transportation small works
25 roster projects under RCW 39.04.155, the department may only allow
26 firms certified as small business enterprises, under 49 C.F.R. 26.39,
27 to bid on the contract, unless the department determines there would
28 be insufficient bidders for a particular project. The department
29 shall report on the effectiveness of this policy to the
30 transportation committees of the legislature by January 31, 2023.

31 (5) \$2,000,000 of the move ahead WA flexible account—state
32 appropriation is provided solely for efforts to increase diversity in
33 the transportation construction and maritime workforce. Of this
34 amount:

35 (a) \$500,000 of the move ahead WA flexible account—state
36 appropriation is provided solely for: (i) The preapprenticeship
37 support services (PASS) program, which aims to increase diversity in
38 the highway construction workforce and prepare individuals interested
39 in entering the highway construction workforce. In addition to the

1 services allowed by RCW 47.01.435, the PASS program may provide
2 housing assistance for youth aging out of the foster care and
3 juvenile rehabilitation systems in order to support the participation
4 of these youth in a transportation-related preapprenticeship program;
5 and (ii) assisting minority and women-owned businesses to perform
6 work in the highway construction industry. This assistance shall
7 include technical assistance, business training, counseling,
8 guidance, prime to subcontractor relationship building, and a
9 capacity building mentorship program.

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

16 **Sec. 815.** 2022 c 186 s 219 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA,**
19 **AND RESEARCH—PROGRAM T**

20	Motor Vehicle Account—State Appropriation.	((\$26,483,000))
21		<u>\$26,502,000</u>
22	Motor Vehicle Account—Federal Appropriation.	\$34,865,000
23	Motor Vehicle Account—Private/Local Appropriation.	\$400,000
24	Multimodal Transportation Account—State	
25	Appropriation.	((\$1,902,000))
26		<u>\$1,322,000</u>
27	Multimodal Transportation Account—Federal	
28	Appropriation.	\$2,809,000
29	Multimodal Transportation Account—Private/Local	
30	Appropriation.	\$100,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$451,000
33	Interstate 405 and State Route Number 167 Express	
34	Toll Lanes Account—State Appropriation.	\$2,879,000
35	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$1,500,000</u>
36	<u>Move Ahead WA Flexible Account—Federal Appropriation.</u>	<u>\$1,000,000</u>
37	TOTAL APPROPRIATION.	((\$69,889,000))
38		<u>\$71,828,000</u>

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

3 (1) \$4,080,000 of the motor vehicle account—federal appropriation
4 is provided solely for the Forward Drive road usage charge research
5 project overseen by the transportation commission using a portion of
6 the amount of the federal grant award. The purpose of the Forward
7 Drive road usage charge research project is to advance research in
8 key policy areas related to road usage charge including assessing
9 impacts of future mobility shifts on road usage charge revenues,
10 conducting an equity analysis, updating and assessing emerging
11 mileage reporting methods, determining opportunities to reduce cost
12 of collection, conducting small-scale pilot tests, and identifying a
13 long-term, detailed phase-in plan.

14 (2) \$2,879,000 of the Interstate 405 and state route number 167
15 express toll lanes account—state appropriation is provided solely for
16 completion of updating the state route number 167 master plan.

17 (3) \$500,000 of the multimodal transportation account—state
18 appropriation is provided solely for the department to partner with
19 the department of commerce in developing vehicle miles traveled
20 targets for the counties in Washington state with (a) a population
21 density of at least 100 people per square mile and a population of at
22 least 200,000; or (b) a population density of at least 75 people per
23 square mile and an annual growth rate of at least 1.75 percent as
24 determined by the office of financial management. Given land use
25 patterns are key factors in travel demand and should be taken into
26 consideration when developing the targets, the department and the
27 department of commerce shall partner with local jurisdictions,
28 regional transportation planning organizations and other stakeholders
29 to inventory existing laws and rules that promote transportation and
30 land use, identify gaps and make recommendations for changes in laws,
31 rules and agency guidance, and establish a framework for considering
32 underserved and rural communities in the evaluation. The department
33 and the department of commerce shall provide an initial technical
34 report by December 31, 2021, an interim report by June 22, 2022, and
35 a final report to the governor and appropriate committees of the
36 legislature by June 30, 2023, that includes a process for
37 establishing vehicle miles traveled reduction targets, a recommended
38 suite of options for local jurisdictions to achieve the targets, and
39 funding requirements for state and local jurisdictions.

1 (4) \$451,000 of the state route number 520 corridor account—state
2 appropriation is provided solely for the department to contract with
3 the University of Washington department of mechanical engineering, to
4 study measures to reduce noise impacts from the state route number
5 520 bridge expansion joints. The field testing shall be scheduled
6 during existing construction, maintenance, or other scheduled
7 closures to minimize impacts. The testing must also ensure safety of
8 the traveling public. The study shall examine testing methodologies
9 and project timelines and costs. A draft report must be submitted to
10 the transportation committees of the legislature and the governor by
11 March 1, 2022. A final report must be submitted to the transportation
12 committees of the legislature and the governor by December 31, 2022.

13 (5) \$5,900,000 of the motor vehicle account—federal appropriation
14 and \$400,000 of the motor vehicle account—private/local appropriation
15 are provided solely for delivery of the department's state planning
16 and research work program and pooled fund research projects.

17 (6) \$800,000 of the motor vehicle account—state appropriation is
18 provided solely for WSDOT to do a corridor study of SR 302 (Victor
19 Area) to recommend safety and infrastructure improvements to address
20 current damage and prevent future roadway collapse and landslides
21 that have caused road closures.

22 (7) \$1,000,000 of the motor vehicle account—state appropriation
23 is provided solely for a study on the need for additional
24 connectivity in the area between SR 161, SR 7, SR 507, and I-5 in
25 South Pierce County.

26 (8) \$1,654,000 of the motor vehicle account—state appropriation
27 and \$108,000 of the multimodal transportation account—state
28 appropriation are provided solely for contingency funding to address
29 emergent issues related to mitigating negative impacts of the high
30 level of staff vacancies. Potential uses of the funding include, but
31 are not limited to, the following: Increased overtime, travel, and
32 other related costs; increased contracting to maintain adequate
33 service levels; and unanticipated facility and equipment needs. By
34 January 1, 2023, the department must submit a report to the governor
35 and the transportation committees of the legislature detailing the
36 specific expenditures made from the contingency funding provided in
37 this subsection.

38 (9) \$450,000 of the motor vehicle account—state appropriation is
39 provided solely for the department to complete a performance-based

1 project evaluation model based on the initial work done for section
2 218(7), chapter 219, Laws of 2020, in a way that operationalizes the
3 six transportation policy goals in RCW 47.04.280. This work should
4 first include clarification of the transportation policy goals
5 through development of objectives and criteria that reflect system
6 priorities based on outcomes of community engagement. After a
7 framework is established by which goals can be more directly related
8 to outcomes, the project evaluation model should leverage the
9 department's existing experts and best practices used for
10 prioritizing programmatic funds to develop procedures by which
11 evaluators could consistently score and rank all types of projects.
12 The department must issue a report by June 30, 2023, summarizing the
13 new project evaluation model, and provide recommendations for how
14 this process could be implemented in coordination with the
15 legislative work cycle.

16 (10) (a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation
17 account—state appropriation is provided solely for Thurston regional
18 planning council (TRPC) to conduct a study examining options for
19 multimodal high capacity transportation (HCT) to serve travelers on
20 the I-5 corridor between central Thurston county (Olympia area) and
21 Pierce county.

22 (b) The study will include an assessment of travelsheds and
23 ridership potential and identify and provide an evaluation of options
24 to enhance connectivity and accessibility for the greater south Puget
25 Sound region with an emphasis on linking to planned or existing
26 commuter or regional light rail. The study must account for previous
27 and ongoing efforts by transit agencies and the department. The study
28 will emphasize collaboration with a diverse community of interests,
29 including but not limited to transit, business, public agencies,
30 tribes, and providers and users of transportation who because of age,
31 income, or ability may face barriers and challenges. TRPC will
32 provide to the transportation committees of the legislature a study
33 outline and recommendations of deliverables by December 1, 2022.

34 (11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation
35 account—state appropriation is provided solely for the city of
36 Seattle's office of planning and community development to support an
37 equitable development initiative to reconnect the South Park
38 neighborhood, currently divided by State Route 99.

39 (a) The support work must include:

1 (i) A public engagement and visioning process led by a
2 neighborhood-based, community organization; and

3 (ii) A feasibility study of decommissioning SR 99 in the South
4 Park neighborhood to include, but not be limited to, traffic studies,
5 environmental impact analysis, and development of alternatives,
6 including the transfer of the land to a neighborhood-led community
7 land trust.

8 (b) The support work must be conducted in coordination and
9 partnership with neighborhood residents, neighborhood industrial and
10 commercial representatives, the state department of transportation,
11 and other entities and neighborhoods potentially impacted by changes
12 to the operation of SR 99.

13 (c) The city must provide a report on the plan that includes
14 recommendations to the Seattle city council, state department of
15 transportation, and the transportation committees of the legislature
16 by January 1, 2025.

17 (12) \$1,500,000 of the move ahead WA flexible account—state
18 appropriation and \$1,000,000 of the move ahead WA flexible account—
19 federal appropriation are provided solely for an Interstate 5
20 planning and environmental linkage study. This study will serve as a
21 next step toward a statewide Interstate 5 master plan, building upon
22 existing work underway in the corridor. It is the intent of the
23 legislature to direct \$40,000,000 to complete the planning and
24 environmental linkage study over the course of the 16-year move ahead
25 WA investment program.

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

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

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

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

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

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

21 **Sec. 816.** 2022 c 186 s 220 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—**
24 **PROGRAM U**

25	Aeronautics Account—State Appropriation.	\$1,000
26	Transportation Partnership Account—State	
27	Appropriation.	\$25,000
28	Motor Vehicle Account—State Appropriation.	\$101,849,000
29	Puget Sound Ferry Operations Account—State	
30	Appropriation.	\$244,000
31	State Route Number 520 Corridor Account—State	
32	Appropriation.	\$26,000
33	Connecting Washington Account—State Appropriation.	\$203,000
34	Multimodal Transportation Account—State	
35	Appropriation.	\$4,968,000
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation.	\$19,000
38	Alaskan Way Viaduct Replacement Project Account—	

1	State Appropriation.	\$14,000
2	Interstate 405 and State Route Number 167 Express	
3	Toll Lanes Account—State Appropriation.	\$15,000
4	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$450,000</u>
5	TOTAL APPROPRIATION.	((\$107,364,000))
6		<u>\$107,814,000</u>

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

9 (1) Consistent with existing protocol and practices, for any
10 negotiated settlement of a claim against the state for the department
11 that exceeds five million dollars, the department, in conjunction
12 with the attorney general and the department of enterprise services,
13 shall notify the director of the office of financial management and
14 the transportation committees of the legislature.

15 (2) Beginning October 1, 2021, and semiannually thereafter, the
16 department, in conjunction with the attorney general and the
17 department of enterprise services, shall provide a report with
18 judgments and settlements dealing with the Washington state ferry
19 system to the director of the office of financial management and the
20 transportation committees of the legislature. The report must include
21 information on: (a) The number of claims and settlements by type; (b)
22 the average claim and settlement by type; (c) defense costs
23 associated with those claims and settlements; and (d) information on
24 the impacts of moving legal costs associated with the Washington
25 state ferry system into the statewide self-insurance pool.

26 (3) Beginning October 1, 2021, and semiannually thereafter, the
27 department, in conjunction with the attorney general and the
28 department of enterprise services, shall provide a report with
29 judgments and settlements dealing with the nonferry operations of the
30 department to the director of the office of financial management and
31 the transportation committees of the legislature. The report must
32 include information on: (a) The number of claims and settlements by
33 type; (b) the average claim and settlement by type; and (c) defense
34 costs associated with those claims and settlements.

35 (4) When the department identifies significant legal issues that
36 have potential transportation budget implications, the department
37 must initiate a briefing for appropriate legislative members or staff
38 through the office of the attorney general and its legislative
39 briefing protocol.

1 (5) \$450,000 of the move ahead WA flexible account—state
2 appropriation is provided solely for enhanced funding to the office
3 of minority and women's business enterprises to increase the number
4 of certified women and minority-owned contractors in the
5 transportation sector.

6 **Sec. 817.** 2022 c 186 s 221 (uncodified) is amended to read as
7 follows:

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

9	State Vehicle Parking Account—State Appropriation.	\$784,000
10	Regional Mobility Grant Program Account—State	
11	Appropriation.	(\$115,488,000)
12		<u>\$81,988,000</u>
13	Rural Mobility Grant Program Account—State	
14	Appropriation.	\$33,283,000
15	Multimodal Transportation Account—State	
16	Appropriation.	(\$134,754,000)
17		<u>\$128,845,000</u>
18	Multimodal Transportation Account—Federal	
19	Appropriation.	\$3,574,000
20	Multimodal Transportation Account— <u>Private/Local</u>	
21	Appropriation.	\$100,000
22	<u>Climate Transit Programs Account—State Appropriation. . .</u>	<u>\$53,436,000</u>
23	TOTAL APPROPRIATION.	(\$287,983,000)
24		<u>\$302,010,000</u>

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

27 (1) \$67,821,000 of the multimodal transportation account—state
28 appropriation is provided solely for a grant program for special
29 needs transportation provided by transit agencies and nonprofit
30 providers of transportation. Of this amount:

31 (a) \$15,568,000 of the multimodal transportation account—state
32 appropriation is provided solely for grants to nonprofit providers of
33 special needs transportation. Grants for nonprofit providers must be
34 based on need, including the availability of other providers of
35 service in the area, efforts to coordinate trips among providers and
36 riders, and the cost effectiveness of trips provided. Fuel type may
37 not be a factor in the grant selection process.

1 (b) \$52,253,000 of the multimodal transportation account—state
2 appropriation is provided solely for grants to transit agencies to
3 transport persons with special transportation needs. To receive a
4 grant, the transit agency must, to the greatest extent practicable,
5 have a maintenance of effort for special needs transportation that is
6 no less than the previous year's maintenance of effort for special
7 needs transportation. Grants for transit agencies must be prorated
8 based on the amount expended for demand response service and route
9 deviated service in calendar year 2019 as reported in the "Summary of
10 Public Transportation - 2019" published by the department of
11 transportation. No transit agency may receive more than thirty
12 percent of these distributions. Fuel type may not be a factor in the
13 grant selection process.

14 (2) \$33,283,000 of the rural mobility grant program account—state
15 appropriation is provided solely for grants to aid small cities in
16 rural areas as prescribed in RCW 47.66.100. Fuel type may not be a
17 factor in the grant selection process.

18 (3) \$2,000,000 of the multimodal transportation account—state
19 appropriation is provided solely for a public transit rideshare grant
20 program for: (a) Public transit agencies to add or replace rideshare
21 vehicles; and (b) incentives and outreach to increase rideshare use.
22 The grant program for public transit agencies may cover capital costs
23 only; operating costs for public transit agencies are not eligible
24 for funding under this grant program. Additional employees may not be
25 hired from the funds provided in this section for the vanpool grant
26 program, and supplanting of transit funds currently funding vanpools
27 is not allowed. The department shall encourage grant applicants and
28 recipients to leverage funds other than state funds. Fuel type may
29 not be a factor in the grant selection process.

30 (4) \$37,809,000 of the regional mobility grant program account—
31 state appropriation is reappropriated and provided solely for the
32 regional mobility grant projects identified in LEAP Transportation
33 Document ((2022-2)) 2023-2 ALL PROJECTS as developed ((~~March 9,~~
34 ~~2022~~) April 21, 2023, Program - Public Transportation Program (V).

35 (5) (a) ((~~\$77,679,000~~)) \$44,179,000 of the regional mobility grant
36 program account—state appropriation is provided solely for the
37 regional mobility grant projects identified in LEAP Transportation
38 Document ((2022-2)) 2023-2 ALL PROJECTS as developed ((~~March 9,~~
39 ~~2022~~) April 21, 2023, Program - Public Transportation Program (V).

1 The department shall review all projects receiving grant awards under
2 this program at least semiannually to determine whether the projects
3 are making satisfactory progress. Any project that has been awarded
4 funds, but does not report activity on the project within one year of
5 the grant award, must be reviewed by the department to determine
6 whether the grant should be terminated. The department shall promptly
7 close out grants when projects have been completed, and any remaining
8 funds must be used only to fund projects identified in the LEAP
9 transportation document referenced in this subsection. The department
10 shall provide annual status reports on December 15, 2021, and
11 December 15, 2022, to the office of financial management and the
12 transportation committees of the legislature regarding the projects
13 receiving the grants. It is the intent of the legislature to
14 appropriate funds through the regional mobility grant program only
15 for projects that will be completed on schedule. A grantee may not
16 receive more than twenty-five percent of the amount appropriated in
17 this subsection. Additionally, when allocating funding for the
18 2023-2025 biennium, no more than thirty percent of the total grant
19 program may directly benefit or support one grantee unless all other
20 funding is awarded. The department shall not approve any increases or
21 changes to the scope of a project for the purpose of a grantee
22 expending remaining funds on an awarded grant. Fuel type may not be a
23 factor in the grant selection process.

24 (b) In order to be eligible to receive a grant under (a) of this
25 subsection during the 2021-2023 fiscal biennium, a transit agency
26 must establish a process for private transportation providers to
27 apply for the use of park and ride facilities. For purposes of this
28 subsection, (i) "private transportation provider" means: An auto
29 transportation company regulated under chapter 81.68 RCW; a passenger
30 charter carrier regulated under chapter 81.70 RCW, except marked or
31 unmarked stretch limousines and stretch sport utility vehicles as
32 defined under department of licensing rules; a private nonprofit
33 transportation provider regulated under chapter 81.66 RCW; or a
34 private employer transportation service provider; and (ii) "private
35 employer transportation service" means regularly scheduled, fixed-
36 route transportation service that is offered by an employer for the
37 benefit of its employees.

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

1 (7) \$6,500,000 of the multimodal transportation account—state
2 appropriation and \$784,000 of the state vehicle parking account—state
3 appropriation are provided solely for CTR grants and activities. Fuel
4 type may not be a factor in the grant selection process. Of this
5 amount:

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

15 (b) \$800,000 of the multimodal transportation account—state
16 appropriation is provided solely for continuation of the first mile/
17 last mile connections grant program. Eligible grant recipients
18 include cities, businesses, nonprofits, and transportation network
19 companies with first mile/last mile solution proposals. Transit
20 agencies are not eligible. The commute trip reduction board shall
21 develop grant parameters, evaluation criteria, and evaluate grant
22 proposals. The commute trip reduction board shall provide the
23 transportation committees of the legislature a report on the
24 effectiveness of this grant program and best practices for continuing
25 the program.

26 (8)(a) Except as provided otherwise in this subsection,
27 (~~(\$29,030,000)~~) \$26,030,000 of the multimodal transportation account—
28 state appropriation is provided solely for connecting Washington
29 transit projects identified in LEAP Transportation Document
30 (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed (~~(March 9, 2022)~~) April
31 21, 2023. It is the intent of the legislature that entities
32 identified to receive funding in the LEAP transportation document
33 referenced in this subsection receive the amounts specified in the
34 time frame specified in that LEAP document. If an entity has already
35 completed a project in the LEAP transportation document referenced in
36 this subsection before the time frame identified, the entity may
37 substitute another transit project or projects that cost a similar or
38 lesser amount.

1 (b) Within the amount provided in this subsection, (~~(\$900,000)~~)
2 \$150,000 of the multimodal transportation account—state appropriation
3 is provided solely to complete work on Martin Luther King Way,
4 Rainier Ave improvements (G2000040).

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

7 (10) (~~(\$23,349,000)~~) \$20,849,000 of the multimodal transportation
8 account—state appropriation is provided solely for the green
9 transportation capital grant program established in chapter 287, Laws
10 of 2019 (advancing green transportation adoption).

11 (11) \$555,000 of the multimodal transportation account—state
12 appropriation is provided solely for an interagency transfer to the
13 Washington State University extension energy program to establish and
14 administer a technical assistance and education program for public
15 agencies on the use of alternative fuel vehicles. The Washington
16 State University extension energy program shall prepare a report
17 regarding the utilization of the program and provide this report to
18 the transportation committees of the legislature by November 15,
19 2021.

20 (12) The department must provide telework assistance to employers
21 as part of its CTR activities. The objectives of telework assistance
22 include improving transportation system performance, supporting
23 economic vitality, and increasing equity and access to opportunity.

24 (13) \$150,000 of the multimodal transportation account—state
25 appropriation is provided solely for Intercity Transit for the Dash
26 shuttle program.

27 (14) (a) (~~(\$500,000)~~) \$100,000 of the multimodal transportation
28 account—state appropriation is provided solely for King county metro
29 to develop a pilot program to place teams including human services
30 personnel along routes that are enduring significant public safety
31 issues and various disruptive behavior in south King county. The team
32 would be available to deescalate disruptions, provide immediate
33 access to transit resources, and refer customers to community
34 resources to break cycles of inappropriate behavior. The teams must
35 be individuals trained in deescalation and outreach. The function and
36 duties should be cocreated with community stakeholders.

37 (b) (~~King county metro must provide a report to the~~
38 ~~transportation committees of the legislature by June 30, 2023,~~
39 ~~regarding the effectiveness of the program, any suggestions for~~

1 ~~improving its efficacy, and any modifications that might be necessary~~
2 ~~for other transit providers to institute similar programs.~~

3 (e)) If King county metro does not provide at least \$500,000 to
4 develop the pilot program funded by this subsection, the amount
5 provided in this subsection lapses.

6 (15)(a) \$250,000 of the multimodal transportation account—state
7 appropriation is provided solely for the department, in consultation
8 with the joint transportation committee, to conduct a study of
9 statewide transit service benchmarks. Elements of the study include:

10 (i) Development of definitions of frequent fixed route transit
11 and accessible frequent fixed route transit; and

12 (ii) Identification of, to the extent possible using existing
13 data, current gaps in frequent fixed route transit and accessible
14 walking routes to frequent fixed route transit stops.

15 (b) An initial report is due by December 15, 2022, that proposes
16 a definition of frequent transit and documents how many people in
17 Washington live within one half mile walk of frequent transit. A
18 final report is due by June 30, 2023, that identifies gaps in
19 accessible frequent transit, analyzed for disparities in race, age,
20 and disability, and develops funding scenarios to address the
21 identified gaps.

22 (16) Within existing resources, the department shall prepare a
23 report regarding the funding, implementation, and operation of the
24 grant management system or systems utilized by the public
25 transportation division. In preparing this report, the department
26 must survey and report on all grant recipients experience with the
27 operation of this system or systems. The department shall provide
28 this report to the transportation committees of the legislature by
29 November 15, 2022.

30 (17) \$14,120,000 of the climate transit programs account—state
31 appropriation is provided solely for newly selected special needs
32 grants. Of this amount:

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

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

13 (18) \$33,606,000 of the climate transit programs account—state
14 appropriation is provided solely for transit support grants. To be
15 eligible for transit support grant distribution, transit agencies
16 must submit documentation of fare-free policy for 18 years and under
17 by October 1, 2022, to be eligible for the 2023-2025 biennium.
18 Transit agencies that submit fare policy documentation following the
19 October 1, 2022, deadline shall become eligible for the next biennial
20 distribution.

21 (19) \$4,710,000 of the climate transit programs account—state
22 appropriation is provided solely for newly selected green
23 transportation grants.

24 (20) \$1,000,000 of the climate transit programs account—state
25 appropriation is provided solely for newly selected transit
26 coordination grants. The department shall give priority to grant
27 proposals that promote the formation of joint partnerships between
28 transit agencies or merge service delivery across entities.

29 (21) It is the intent of the legislature that \$520,000 will be
30 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the
31 2023-2025 fiscal biennium.

32 (22) It is the intent of the legislature that \$1,760,000 of
33 regional mobility grant program account—state funds be added to the
34 2023-2025 fiscal biennium for city of Kent: Rapid Ride Facility
35 Passenger Amenities & Access project (20190004), and the LEAP
36 transportation document referenced in subsection (4) of this section
37 be changed accordingly.

1 fare fuel surcharge. The department shall review future use of
2 alternative fuels and dual fuel configurations, including hydrogen.

3 (4) \$500,000 of the Puget Sound ferry operations account—state
4 appropriation is (~~provided solely~~) for operating costs related to
5 moving vessels for emergency capital repairs. Funds may only be spent
6 after approval by the office of financial management.

7 (5) \$2,400,000 of the Puget Sound ferry operations account—state
8 appropriation and \$2,000,000 of the Puget Sound ferry operations
9 account—federal appropriation are (~~provided solely~~) for staffing
10 and overtime expenses incurred by engine and deck crewmembers. The
11 department must provide updated staffing cost estimates for fiscal
12 years 2022 and 2023 with its annual budget submittal and updated
13 estimates by January 1, 2022.

14 (6) \$688,000 of the Puget Sound ferry operations account—state
15 appropriation and \$697,000 of the Puget Sound ferry operations
16 account—federal appropriation are (~~provided solely~~) for new
17 employee training. The department must work to increase its outreach
18 and recruitment of populations underrepresented in maritime careers
19 and continue working to expand apprenticeship and internship
20 programs, with an emphasis on programs that are shown to improve
21 recruitment for positions with the state ferry system.

22 (7) The department must request reimbursement from the federal
23 transit administration for the maximum amount of ferry operating
24 expenses eligible for reimbursement under federal law.

25 (8) \$484,000 of the Puget Sound ferry operations account—federal
26 is (~~provided solely~~) for the department to contract for additional
27 traffic control assistance at the Kingston ferry terminal during peak
28 ferry travel times, with a particular focus on Sundays and holiday
29 weekends. Traffic control methods should include, but not be limited
30 to, holding traffic on the shoulder at Lindvog Road until space opens
31 for cars at the tollbooths and dock, and management of traffic on
32 Highway 104 in order to ensure Kingston residents and business owners
33 have access to businesses, roads, and driveways.

34 (9) \$336,000 of the Puget Sound ferry operations account—state
35 appropriation is (~~provided solely~~) for evacuation slide training.

36 (10) \$336,000 of the Puget Sound ferry operations account—state
37 appropriation is (~~provided solely~~) for fall restraint labor and
38 industries inspections.

1 (11) \$735,000 of the Puget Sound ferry operations account—state
2 appropriation and \$410,000 of the Puget Sound ferry operations
3 account—federal appropriation are (~~provided—solely~~) for
4 familiarization for new assignments of engine crew and terminal
5 staff.

6 (12) \$160,000 of the Puget Sound ferry operations account—state
7 appropriation is (~~provided—solely~~) for electronic navigation
8 training.

9 (13) (~~(\$250,000)~~) \$75,000 of the Puget Sound ferry operations
10 account—state appropriation is (~~provided—solely~~) for Washington
11 State Ferries to conduct a study of passenger demographics. The study
12 must include:

13 (a) Information on age, race, gender, income level of passengers
14 by route in summer and winter seasons;

15 (b) Composition of passengers by travel purpose, such as commute,
16 tourism, or commerce; and

17 (c) Frequency of passenger trips by mode and fare products
18 utilized.

19 The study may be included as part of a larger origin and
20 destination study. The department shall report study results to the
21 transportation committees of the legislature by December 1, 2023.

22 (14)(a) \$8,419,000 of the Puget Sound ferry operations account—
23 federal appropriation is (~~provided—solely~~) for Washington state
24 ferries to:

25 (i) Continuously recruit and hire deck, engine, and terminal
26 staff;

27 (ii) Contract with an external recruitment firm to increase
28 recruitment efforts both locally and nationally with an emphasis on
29 attracting maritime workers from communities underrepresented in the
30 ferry system;

31 (iii) Enhance employee retention by standardizing on-call worker
32 schedules;

33 (iv) Increase training and development opportunities for
34 employees; and

35 (v) Make improvements to hiring processes by establishing
36 additional positions to support timely hiring of employees.

37 (b) It is the intent of the legislature to continue funding for
38 the activities outlined in this section as part of the move ahead WA
39 package.

1 (15) \$248,000 of the Puget Sound ferry operations account—federal
2 appropriation is (~~provided solely~~) for labor at the Vashon
3 terminal.

4 (16) \$194,000 of the Puget Sound ferry operations account—federal
5 appropriation is (~~provided solely~~) for operating costs at the
6 Mukilteo terminal.

7 (17) \$294,000 of the Puget Sound ferry operations account—federal
8 appropriation is (~~provided solely~~) for deck and engine internships.

9 (18) By December 1, 2022, the department must report on the
10 status of efforts to increase training and development opportunities
11 for employees. The report must include a description of the new
12 training and career advancement programs for able-bodied sailors,
13 mates, and engineers; the numbers of employees participating in each
14 program; the number of employees completing each program; the number
15 of open positions that the program is designed to fill; and the
16 anticipated number of employee promotions as a result of program
17 completion. The department must provide the report to the office of
18 financial management and the transportation committees of the
19 legislature.

20 (19) For the Mukilteo multimodal terminal, the department must
21 submit a report showing for a 12-month period, on a monthly basis,
22 how much electricity is generated by solar power generated on-site,
23 electricity usage, and actual electricity cost savings. The report is
24 due to the transportation committees of the legislature by June 30,
25 2023.

26 (20) \$93,000 of the Puget Sound ferry operations account—state
27 appropriation is (~~provided solely~~) for Washington state ferries to
28 partner with local community colleges and universities to secure
29 housing for workforce training sessions and to pay in advance for the
30 costs of transportation worker identification credentials for
31 incoming ferry system employees and trainees.

32 (21) (a) (~~(\$300,000)~~) \$150,000 of the Puget Sound ferry operations
33 account—state appropriation is (~~provided solely~~) for the
34 department, in consultation with the joint transportation committee,
35 to oversee a consultant study to identify and recommend cost-
36 effective strategies to maximize walk-on passenger ridership of the
37 Anacortes - San Juan ferry routes. The study must also identify
38 available public funding sources to support these strategies.
39 Reducing the need for passengers to bring their cars on the ferries

1 will increase the capacity of each ferry run to transport more
2 people.

3 (b) The evaluated options may include, but not be limited to:

4 (i) Increased public funding or other support for transit or
5 shuttle service between ferry landings on Orcas, Lopez, San Juan, and
6 Anacortes and nearby major town centers or connecting transit hubs;

7 (ii) Options to increase availability of taxi and rideshare
8 services at each of the landings;

9 (iii) Short-term electric vehicle rentals at ferry landings,
10 including electric bicycles and scooters;

11 (iv) Public funding or other support to increase the available
12 locations for additional parking and reduce the cost for short-term
13 parking near each landing;

14 (v) Marketing of the availability of options through the
15 Washington state ferries reservation system website, on ferries and
16 at ferry landings and ticketing facilities.

17 (c) Outreach for the study, including on the feasibility and
18 effectiveness of each strategy evaluated, must include outreach to
19 representatives of:

20 (i) Washington state ferries;

21 (ii) San Juan county council;

22 (iii) Anacortes and San Juan Islands ferry advisory committee
23 members;

24 (iv) San Juan economic development council;

25 (v) City of Anacortes;

26 (vi) City of Friday Harbor;

27 (vii) Skagit transit;

28 (viii) Skagit RTPO;

29 (ix) Eastsound;

30 (x) Lopez Village;

31 (xi) Transit dependent populations; and

32 (xii) Others as deemed appropriate by the committee.

33 (d) A report with recommendations on the most feasible and cost-
34 effective strategies to maximize walk-on passenger ridership of the
35 Anacortes - San Juan and Anacortes - Sidney ferry routes is due to
36 the transportation committees of the legislature by January 6, 2023.

37 (22)(a) During negotiations of the 2023-2025 collective
38 bargaining agreements, the department must conduct a review and
39 analysis of the collective bargaining agreements governing state
40 ferry employees, to identify provisions that create barriers for, or

1 contribute to creating a disparate impact on, newly hired ferry
2 employees, including those who are women, people of color, veterans,
3 and other employees belonging to communities that have historically
4 been underrepresented in the workforce. The review and analysis must
5 include, but not be limited to, provisions regarding seniority, work
6 assignments, and work shifts. The review and analysis must also
7 include consultation with the governor's office of labor relations,
8 the governor's office of equity, and the attorney general's office.

9 (b) For future negotiations or modifications of the collective
10 bargaining agreements, it is the intent of the legislature that the
11 collective bargaining representatives for the state and ferry
12 employee organizations may consider the findings of the review and
13 analysis required in (a) of this subsection and negotiate in a manner
14 to remove identified barriers and address identified impacts so as
15 not to perpetuate negative impacts.

16 (23) To the extent that an activity funded by federal funds in
17 this section is not eligible for federal reimbursement, the
18 department may transfer expenditure authority between state and
19 federal appropriations provided in this section.

20 (24) \$1,700,000 of the Puget Sound ferry operations account—state
21 appropriation is for the able-bodied sailor to mate program.

22 (25) \$1,000,000 of the multimodal transportation account—state
23 appropriation is provided solely for costs related to the MV Walla
24 Walla.

25 **Sec. 819.** 2022 c 186 s 223 (uncodified) is amended to read as
26 follows:

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

28 Multimodal Transportation Account—State

29 Appropriation. ((\$68,430,000))
30 \$66,181,000

31 Multimodal Transportation Account—Private/Local

32 Appropriation. \$46,000

33 Multimodal Transportation Account—Federal

34 Appropriation. \$500,000

35 TOTAL APPROPRIATION. ((\$68,976,000))
36 \$66,727,000

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

1 (1) The department is directed to continue to pursue efforts to
2 reduce costs, increase ridership, and review Amtrak Cascades fares
3 and fare schedules. Within thirty days of each annual cost/revenue
4 reconciliation under the Amtrak service contract, the department
5 shall report annual credits to the office of financial management and
6 the legislative transportation committees. Annual credits from Amtrak
7 to the department including, but not limited to, credits due to
8 higher ridership, reduced level of service, and fare or fare schedule
9 adjustments, must be used to offset corresponding amounts of the
10 multimodal transportation account—state appropriation, which must be
11 placed in reserve.

12 (2) Consistent with the ongoing planning and service improvement
13 for the intercity passenger rail program, \$500,000 of the multimodal
14 transportation account—state is provided solely for the Cascades
15 service development plan. This funding is to be used to analyze
16 current and future market conditions and to develop a structured
17 assessment of service options and goals based on anticipated demand
18 and the results of the state and federally required 2019 state rail
19 plan, including identifying implementation alternatives to meet the
20 future service goals for the Amtrak Cascades route. The work must be
21 consistent with federal railroad administration guidance and
22 direction on developing service development plans. It must also
23 leverage the \$500,000 in federal funding appropriated for development
24 of a service development plan and comply with the planning and grant
25 award obligations of the consolidated rail infrastructure and safety
26 improvements (CRISI) program. A status report must be provided to the
27 transportation committees of the legislature by June 30, 2022.

28 (3) (~~(\$4,000,000)~~) \$1,750,000 of the multimodal transportation
29 account—state appropriation is provided solely for the continued
30 coordination, engagement, and planning for a new ultra high-speed
31 ground transportation corridor with participation from Washington,
32 Oregon, and British Columbia. This funding is contingent on
33 meaningful financial contributions for this effort by Oregon or
34 British Columbia. "Ultra high-speed" means a maximum testing speed of
35 at least 250 miles per hour. These efforts are to support and advance
36 activities and must abide by the memorandum of understanding signed
37 by the governors of Washington and Oregon, and the premier of the
38 province of British Columbia in November 2021. The department shall
39 establish a policy committee with participation from Washington,

1 Oregon, and British Columbia, including representation from the two
2 largest caucuses of each chamber of the Washington state legislature,
3 and coordinate the activities of the policy committee to include:

4 (a) Developing an organizational framework that facilitates input
5 in decision-making from all parties;

6 (b) Developing a public engagement approach with a focus on
7 equity, inclusion, and meaningful engagement with communities,
8 businesses, federal, state, provincial, and local governments
9 including indigenous communities;

10 (c) Developing and leading a collaborative approach to prepare
11 and apply for potential future federal, state, and provincial funding
12 opportunities, including development of strategies for incorporating
13 private sector participation and private sector contributions to
14 funding, including through the possible use of public-private
15 partnerships;

16 (d) Beginning work on scenario analysis addressing advanced
17 transportation technologies, land use and growth assumptions, and an
18 agreed to and defined corridor vision statement; and

19 (e) Developing a recommendation on the structure and membership
20 of a formal coordinating entity that will be responsible for
21 advancing the project through the project initiation stage to project
22 development and recommended next steps for establishment of the
23 coordinating entity. Project development processes must include
24 consideration of negative and positive impacts on communities of
25 color, low-income households, indigenous peoples, and other
26 disadvantaged communities.

27 By June 30, 2023, the department shall provide to the governor
28 and the transportation committees of the legislature a report
29 detailing the work conducted by the policy committee and
30 recommendations for establishing a coordinating entity. The report
31 must also include an assessment of current activities and results
32 relating to stakeholder engagement, planning, and any federal funding
33 application. As applicable, the assessment should also be sent to the
34 executive and legislative branches of government in Oregon and
35 appropriate government bodies in the province of British Columbia.

36 (4) The department shall consider applying for federal grant
37 opportunities that support the development of the Amtrak Cascades
38 service. Grant submittals must align with the department's federally
39 required service development plan and state rail plans and

1 partnership agreements with Amtrak as the service provider and BNSF
2 Railway as the host railroad.

3 **Sec. 820.** 2022 c 186 s 224 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
6 **OPERATING**

7	Motor Vehicle Account—State Appropriation.	((\$12,451,000))
8		<u>\$12,454,000</u>
9	Motor Vehicle Account—Federal Appropriation.	\$2,567,000
10	Multiuse Roadway Safety Account—State Appropriation. . .	((\$900,000))
11		<u>\$450,000</u>
12	Multimodal Transportation Account—State	
13	Appropriation.	\$250,000
14	TOTAL APPROPRIATION.	((\$16,168,000))
15		<u>\$15,721,000</u>

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

18 (1) The entire multiuse roadway safety account—state
19 appropriation is provided solely for grants under RCW 46.09.540,
20 subject to the following limitations:

21 (a) Twenty-five percent of the amounts provided are reserved for
22 counties that each have a population of fifteen thousand persons or
23 less; and

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

27 (ii) No county that receives a grant or grants under (a) of this
28 subsection may receive more than sixty thousand dollars in total
29 grants.

30 (2) \$1,023,000 of the motor vehicle account—state appropriation
31 is provided solely for the department, from amounts set aside out of
32 statewide fuel taxes distributed to counties according to RCW
33 46.68.120(3), to contract with the Washington state association of
34 counties to:

35 (a) In coordination with stakeholders, identify county-owned fish
36 passage barriers, and assess which barriers share the same stream
37 system as state-owned fish passage barriers;

1 (b) Streamline and update the county road administration board's
2 data dashboard, county reporting systems, and program management
3 software to provide a more detailed, more transparent, and user-
4 friendly platform for data management, reporting, and research by the
5 public and other interested parties; and

6 (c) Conduct a study of the use of county road right-of-way as a
7 potential source of revenue for county road operating and maintenance
8 needs with recommendations on their feasibility statewide.

(End of part)

1 **TRANSPORTATION AGENCIES—CAPITAL**

2 **Sec. 901.** 2022 c 186 s 301 (uncodified) is amended to read as
3 follows:

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

5 Freight Mobility Investment Account—State
6 Appropriation. ((\$17,769,000))
7 \$4,331,000
8 Freight Mobility Multimodal Account—State
9 Appropriation. ((\$14,004,000))
10 \$5,296,000
11 TOTAL APPROPRIATION. ((\$31,773,000))
12 \$9,627,000

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

15 (1) Except as otherwise provided in this section, the entire
16 appropriations in this section are provided solely for the projects
17 by amount, as listed in the LEAP Transportation Document ((2022-2))
18 2023-2 ALL PROJECTS as developed ((~~March 9, 2022~~)) April 21, 2023,
19 Freight Mobility Strategic Investment Board (FMSIB).

20 (2) Until directed by the legislature, the board may not initiate
21 a new call for projects.

22 (3) It is the intent of the legislature to continue to make
23 strategic investments in a statewide freight mobility transportation
24 system with the help of the freight mobility strategic investment
25 board, including projects that mitigate the impact of freight
26 movement on local communities. To that end, and in coordination with
27 WSDOT as it updates its federally-compliant freight plan, the board
28 is directed to identify the highest priority freight investments for
29 the state, across freight modes, state and local jurisdictions, and
30 regions of the state. By December 1, 2021, the board must submit a
31 preliminary report providing a status update on the process and
32 methodology for identifying and prioritizing investments. By December
33 1, 2022, the board must submit a prioritized list of freight
34 investments that are geographically balanced across the state and can
35 proceed to construction in a timely manner. The prioritized freight
36 project list for the state portion of national highway freight
37 program funds must first address shortfalls in funding for connecting
38 Washington act projects.

1 (4) (a) For the 2021-2023 project appropriations, unless otherwise
2 provided in this act, the director of the office of financial
3 management may authorize a transfer of appropriation authority
4 between projects managed by the freight mobility strategic investment
5 board in order for the board to manage project spending and support
6 the efficient and timely delivery of all projects in the program. The
7 office of financial management may authorize a transfer of
8 appropriation authority between projects under the following
9 conditions and limitations:

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

13 (ii) Each transfer between projects may only occur if the
14 director of the office of financial management finds that any
15 resulting change will not hinder the completion of the projects on
16 LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as
17 developed ((~~March 9, 2022~~) April 21, 2023;

18 (iii) Transfers between projects may be made by the board without
19 the formal written approval provided under this subsection (3) (a),
20 provided that the transfer amount does not exceed \$250,000 or 10
21 percent of the total project, whichever is less. These transfers must
22 be reported to the director of the office of financial management and
23 the chairs of the house of representatives and senate transportation
24 committees; and

25 (iv) Except for transfers made under (a) (iii) of this subsection,
26 transfers may only be made in fiscal year 2023.

27 (b) At the time the board submits a request to transfer funds
28 under this section, a copy of the request must be submitted to the
29 chairs and ranking members of the transportation committees of the
30 legislature.

31 (c) Before approval, the office of financial management shall
32 work with legislative staff of the house of representatives and
33 senate transportation committees to review the requested transfers in
34 a timely manner and consider any concerns raised by the chairs and
35 ranking members of the transportation committees.

36 (d) No fewer than 10 days after the receipt of a project transfer
37 request, the director of the office of financial management must
38 provide written notification to the board of any decision regarding
39 project transfers, with copies submitted to the transportation
40 committees of the legislature.

1 **Sec. 902.** 2022 c 186 s 302 (uncodified) is amended to read as
2 follows:

3 **FOR THE WASHINGTON STATE PATROL**

4 State Patrol Highway Account—State Appropriation. . . . (~~(\$4,803,000)~~)
5 \$4,203,000

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

8 (1) \$695,000 of the state patrol highway account—state
9 appropriation is provided solely for roof replacement.

10 (2) (~~(\$3,501,000)~~) \$3,508,000 of the state patrol highway account
11 —state appropriation is provided solely for the following projects:

12 (a) \$250,000 for emergency repairs;

13 (b) \$350,000 for fuel tank decommissioning;

14 (c) (~~(\$750,000)~~) \$250,000 for generator and electrical
15 replacement;

16 (d) \$195,000 for the exterior envelope of the Yakima office;

17 (e) \$466,000 for equipment shelters;

18 (f) (~~(\$650,000)~~) \$550,000 for the weatherization projects;

19 (g) \$200,000 for roof replacements reappropriation; and

20 (h) \$640,000 for water and fire suppression systems
21 reappropriation and \$607,000 for additional water and fire
22 suppression systems.

23 (3) The Washington state patrol may transfer funds between
24 projects specified in this subsection to address cash flow
25 requirements. If a project specified in this subsection is completed
26 for less than the amount provided, the remainder may be transferred
27 to another project specified in this subsection not to exceed the
28 total appropriation provided in this subsection.

29 **Sec. 903.** 2022 c 186 s 303 (uncodified) is amended to read as
30 follows:

31 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

32 Rural Arterial Trust Account—State Appropriation. . . . (~~(\$55,028,000)~~)
33 \$47,908,000

34 Motor Vehicle Account—State Appropriation. \$1,456,000

35 County Arterial Preservation Account—State
36 Appropriation. (~~(\$44,653,000)~~)
37 \$45,666,000

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

1 TOTAL APPROPRIATION. ((~~\$101,137,000~~))
2 \$105,030,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: The entire move ahead WA account—state
5 appropriation is provided solely for additional preservation funding
6 allocations to counties through the county arterial preservation
7 program.

8 **Sec. 904.** 2021 c 333 s 304 (uncodified) is amended to read as
9 follows:

10 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

11 Small City Pavement and Sidewalk Account—State
12 Appropriation. \$4,100,000
13 Transportation Improvement Account—State
14 Appropriation. ((~~\$201,000,000~~))
15 \$171,000,000
16 Complete Streets Grant Program Account—State
17 Appropriation. \$14,670,000
18 Move Ahead WA Account—State Appropriation. \$10,000,000
19 Climate Active Transportation Account—State
20 Appropriation. \$3,000,000
21 TOTAL APPROPRIATION. ((~~\$219,770,000~~))
22 \$202,770,000

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

25 (1) \$2,500,000 of the transportation improvement account—state
26 appropriation is provided solely for the Relight Washington Program.
27 The transportation improvement board shall conduct a comparative
28 analysis of expanding the Relight Washington Program to all cities
29 that are not currently eligible compared to utilizing the same
30 funding amount for other preservation programs administered by the
31 transportation improvement board. If needed to perform this analysis,
32 the transportation improvement board shall gather additional
33 information on the demand and return on investment from a follow up
34 survey to cities currently ineligible for the Relight Washington
35 Program. The transportation improvement board shall report the
36 results of the analysis to the governor and the transportation
37 committees of the legislature by January 1, 2022.

1 (2) The entire climate active transportation account—state
2 appropriation is provided solely for newly selected complete streets
3 grants.

4 (3) The entire move ahead WA account—state appropriation is
5 provided solely for additional preservation funding to cities.

6 **Sec. 905.** 2022 c 186 s 304 (uncodified) is amended to read as
7 follows:

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

10 Motor Vehicle Account—State Appropriation.	((\$16,076,000))
	<u>\$15,743,000</u>
12 Connecting Washington Account—State Appropriation.	\$3,667,000
13 TOTAL APPROPRIATION.	((\$19,743,000))
	<u>\$19,410,000</u>

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

17 (1) ((~~\$3,289,000~~)) \$3,667,000 of the connecting Washington
18 account—state appropriation is provided solely for a new Olympic
19 region maintenance and administration facility to be located on the
20 department-owned site at the intersection of Marvin Road and 32nd
21 Avenue in Lacey, Washington.

22 (2) (a) ((~~\$4,325,000~~)) \$4,025,000 of the motor vehicle account—
23 state appropriation is provided solely for payments of a financing
24 contract issued pursuant to chapter 39.94 RCW for the department
25 facility located at 15700 Dayton Ave N in Shoreline.

26 (b) Payments from the department of ecology pursuant to the
27 agreement with the department to pay a share of the financing
28 contract in (a) of this subsection must be deposited into the motor
29 vehicle account.

30 **Sec. 906.** 2022 c 186 s 305 (uncodified) is amended to read as
31 follows:

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

33 Transportation 2003 Account (Nickel Account)—State	
34 Appropriation.	((\$482,000))
	<u>\$486,000</u>
36 Transportation Partnership Account—State	
37 Appropriation.	((\$232,566,000))

1		<u>\$173,980,000</u>
2	Motor Vehicle Account—State Appropriation.	((\$246,948,000))
3		<u>\$234,148,000</u>
4	Motor Vehicle Account—Federal Appropriation.	((\$251,835,000))
5		<u>\$262,688,000</u>
6	Coronavirus State Fiscal Recovery Fund—Federal	
7	Appropriation.	((\$400,000,000))
8		<u>\$100,000,000</u>
9	Motor Vehicle Account—Private/Local Appropriation.	((\$56,192,000))
10		<u>\$88,263,000</u>
11	Connecting Washington Account—State Appropriation.	((\$2,063,783,000))
12		<u>\$1,644,899,000</u>
13	Special Category C Account—State Appropriation.	((\$86,198,000))
14		<u>\$71,101,000</u>
15	Multimodal Transportation Account—State	
16	Appropriation.	((\$10,792,000))
17		<u>\$4,779,000</u>
18	Puget Sound Gateway Facility Account—State	
19	Appropriation.	\$8,400,000
20	State Route Number 520 Corridor Account—State	
21	Appropriation.	\$70,886,000
22	Interstate 405 and State Route Number 167 Express	
23	Toll Lanes Account—State Appropriation.	((\$217,282,000))
24		<u>\$34,028,000</u>
25	Move Ahead WA Account—State Appropriation.	((\$10,771,000))
26		<u>\$60,793,000</u>
27	Move Ahead WA Account—Federal Appropriation.	((\$7,200,000))
28		<u>\$52,312,000</u>
29	TOTAL APPROPRIATION.	((\$3,663,335,000))
30		<u>\$2,806,763,000</u>

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

33 (1) Except as provided otherwise in this section, the entire move
34 ahead WA account—state appropriation, the entire connecting
35 Washington account—state appropriation, and the entire transportation
36 partnership account—state appropriation are provided solely for the
37 projects and activities as listed by fund, project, and amount in
38 LEAP Transportation Document ((~~2022-1~~)) 2023-1 as developed ((~~March~~
39 ~~9, 2022~~)) April 21, 2023, Program - Highway Improvements Program (I).

1 However, limited transfers of specific line-item project
2 appropriations may occur between projects for those amounts listed
3 subject to the conditions and limitations in section 601(~~(chapter~~
4 ~~333, Laws of 2021)~~) of this act.

5 (2) Except as provided otherwise in this section, the entire
6 motor vehicle account—state appropriation and motor vehicle account—
7 federal appropriation are provided solely for the projects and
8 activities listed in LEAP Transportation Document ((~~2022-2~~) 2023-2
9 ALL PROJECTS as developed ((~~March 9, 2022~~) April 21, 2023, Program -
10 Highway Improvements Program (I). Any federal funds gained through
11 efficiencies, adjustments to the federal funds forecast, or the
12 federal funds redistribution process must then be applied to highway
13 and bridge preservation activities or fish passage barrier
14 corrections (0BI4001) (~~(, as long as the application of the funds is~~
15 ~~not inconsistent with subsection (26) of this section)~~).

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

26 (4) (~~(The connecting Washington account state appropriation~~
27 ~~includes up to \$326,594,000 in proceeds from the sale of bonds~~
28 ~~authorized in RCW 47.10.889.~~

29 ~~(5))~~ The special category C account—state appropriation includes
30 up to \$51,460,000 in proceeds from the sale of bonds authorized in
31 RCW 47.10.812.

32 ((~~+6~~)) (5) The transportation partnership account—state
33 appropriation includes up to ((~~\$124,629,000~~) \$32,000,000 in proceeds
34 from the sale of bonds authorized in RCW 47.10.873.

35 ((~~+7~~—\$161,792,000)) (6) \$106,947,000 of the transportation
36 partnership account—state appropriation, \$3,882,000 of the motor
37 vehicle account—private/local appropriation, ((~~\$9,000,000~~)
38 \$4,880,000 of the motor vehicle account—state appropriation, ((~~\$1,000~~
39 ~~of the transportation 2003 account (nickel account) state~~

1 ~~appropriation,))~~ and (~~(\$985,000)~~) \$987,000 of the multimodal
2 transportation account—state appropriation are provided solely for
3 the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is
4 the intent of the legislature that any legal damages paid to the
5 state as a result of a lawsuit related to contractual provisions for
6 construction and delivery of the Alaskan Way viaduct replacement
7 project be used to repay project cost increases paid from the
8 transportation partnership account—state funds and motor vehicle
9 account—state funds.

10 (~~(8) — \$186,820,000~~) (7) \$168,663,000 of the connecting
11 Washington account—state appropriation and \$488,000 of the motor
12 vehicle account—local appropriation are provided solely for the US
13 395 North Spokane Corridor project (M00800R). If the department
14 expects the original scope of this project to be completed under
15 budget when a final design is approved for the interchange with I-90
16 and nearby on ramp access, then the scope of work for this project
17 must also include constructing a land bridge in the vicinity of
18 Liberty Park in Spokane, if appropriations are sufficient. It is the
19 intent of the legislature, consistent with the move ahead WA
20 proposal, to advance future funding for this project in order to
21 accelerate delivery by up to two years.

22 (~~(9)~~) (8) (a) (\$177,982,000) \$20,962,000 of the Interstate 405
23 and state route number 167 express toll lanes account—state
24 appropriation is provided solely for the I-405/SR 522 to I-5 Capacity
25 Improvements project (L2000234) for activities related to adding
26 capacity on Interstate 405 between state route number 522 and
27 Interstate 5, with the goals of increasing vehicle throughput and
28 aligning project completion with the implementation of bus rapid
29 transit in the vicinity of the project.

30 (b) The department may advance the I-405/SR 522 to I-5 Capacity
31 Improvements project (L2000234) and construct the project earlier
32 than is scheduled in the LEAP transportation document referenced in
33 subsection (2) of this section if additional funding is identified
34 and submitted through the existing unanticipated receipts process by
35 September 1, 2021. The department and the state treasurer shall
36 pursue alternatives to toll revenue funding including but not limited
37 to federal loan and grant programs. The department shall explore
38 phasing and modifying the project to attempt to align project
39 completion with the anticipated deployment of bus rapid transit on

1 the corridor in the 2023-2025 biennium. The department shall report
2 back to the transportation committees of the legislature on this work
3 by September 15, 2021.

4 ~~((10))~~ (9) (a) ~~((\$329,681,000))~~ \$309,774,000 of the connecting
5 Washington account—state appropriation, \$70,886,000 of the state
6 route number 520 corridor account—state appropriation, and
7 ~~((\$1,021,000))~~ \$1,411,000 of the motor vehicle account—private/local
8 appropriation are provided solely for the SR 520 Seattle Corridor
9 Improvements - West End project (M00400R).

10 (b) Upon completion of the Montlake Phase of the West End project
11 (current anticipated contract completion of 2023), the department
12 shall sell that portion of the property not used for permanent
13 transportation improvements and initiate a process to convey that
14 surplus property to a subsequent owner.

15 (c) Of the amounts provided in this subsection ~~((10))~~ (9),
16 \$100,000 of the state route number 520 corridor account—state
17 appropriation is provided solely for noise mitigation activities.
18 ~~((It is the intent of the legislature to provide an additional
19 \$1,000,000 for noise mitigation activities over the course of the 16-
20 year move ahead WA funding package.~~

21 ~~(11)~~ ~~\$361,296,000~~) (10) \$296,965,000 of the connecting
22 Washington account—state appropriation, ~~((\$4,800,000))~~ \$2,145,000 of
23 the multimodal transportation account—state appropriation,
24 ~~((\$13,725,000))~~ \$4,242,000 of the motor vehicle account—private/local
25 appropriation, \$4,000 of the motor vehicle account—state
26 appropriation, \$7,200,000 of the move ahead WA account—federal
27 appropriation, \$8,400,000 of the Puget Sound Gateway facility account
28 —state appropriation, and ~~((\$85,015,000))~~ \$84,515,000 of the motor
29 vehicle account—federal appropriation are provided solely for the SR
30 167/SR 509 Puget Sound Gateway project (M00600R).

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

33 (b) In making budget allocations to the Puget Sound Gateway
34 project, the department shall implement the project's construction as
35 a single corridor investment. The department shall continue to
36 collaborate with the affected stakeholders as it implements the
37 corridor construction and implementation plan for state route number
38 167 and state route number 509. Specific funding allocations must be
39 based on where and when specific project segments are ready for

1 construction to move forward and investments can be best optimized
2 for timely project completion. Emphasis must be placed on avoiding
3 gaps in fund expenditures for either project.

4 (c) It is the legislature's intent that the department shall
5 consult with the joint executive committee and joint steering
6 committee to determine the most appropriate interchange at the
7 junction of state route number 161 (Meridian avenue) and state route
8 number 167.

9 (d) Of the amounts provided in this subsection, (~~(\$2,300,000)~~)
10 \$2,145,000 of the multimodal transportation account—state
11 appropriation is provided solely for (~~the~~):

12 (i) The design phase of the Puyallup to Tacoma multiuse trail
13 along the SR 167 right-of-way acquired for the project to connect a
14 network of new and existing trails from Mount Rainier to Point
15 Defiance Park(~~-~~

16 ~~(e) Of the amounts provided in this subsection, \$2,500,000 of the~~
17 ~~multimodal transportation account—state appropriation is provided~~
18 ~~solely for segment)); and~~

19 (ii) Segment 2 of the state route number 167 completion project
20 shared-use path to provide connections to the interchange of state
21 route number 167 at 54th to the intersection of state route number
22 509 and Taylor Way in Tacoma.

23 (~~(12)~~) (11)(a) (~~(\$25,378,000)~~) \$25,379,000 of the motor vehicle
24 account—state appropriation, \$10,000,000 of the move ahead WA account
25 —state appropriation, and (~~(\$413,000)~~) \$36,414,000 of the motor
26 vehicle account—private/local appropriation are provided solely to
27 support a project office and the continued work toward the I-5
28 Interstate Bridge Replacement project (~~(L2000370)~~) (L4000054). The
29 legislature finds that the replacement of the I-5 Columbia river
30 bridge is a project of national significance and is critical for the
31 movement of freight. One span is now 104 years old, at risk for
32 collapse in the event of a major earthquake, and no longer satisfies
33 the needs of commerce and travel. Replacing the aging interstate
34 bridge with a modern, seismically resilient, multimodal structure
35 that provides improved mobility for people, goods, and services is a
36 high priority. Therefore, the legislature intends to support the
37 replacement of the I-5 Columbia river bridge with an investment of
38 \$1,000,000,000 over the 16-year move ahead WA investment program.

1 (b) The project office must also study the possible different
2 governance structures for a bridge authority that would provide for
3 the joint administration of the bridges over the Columbia river
4 between Oregon and Washington. As part of this study, the project
5 office must examine the feasibility and necessity of an interstate
6 compact in conjunction with the national center for interstate
7 compacts.

8 (c) During the 2021-2023 biennium, the department shall have as a
9 goal to:

10 (i) Conduct all work necessary to prepare and publish a draft
11 SEIS;

12 (ii) Coordinate with regulatory agencies to begin the process of
13 obtaining environmental approvals and permits;

14 (iii) Identify a locally preferred alternative; and

15 (iv) Begin preparing a final SEIS.

16 The department shall aim to provide progress reports on these
17 activities to the governor and the transportation committees of the
18 legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

19 ~~((13))~~ (12) (a) ~~(\$400,000,000)~~ \$100,000,000 of the coronavirus
20 state fiscal recovery fund—federal appropriation, ~~(\$25,327,000)~~
21 \$167,194,000 of the connecting Washington account—state
22 appropriation, \$35,263,000 of the motor vehicle account—federal
23 appropriation, \$45,112,000 of the move ahead WA account—federal
24 appropriation, \$5,618,000 of the motor vehicle account—local
25 appropriation, \$9,016,000 of the transportation partnership account—
26 state appropriation, \$38,021,000 of the move ahead WA account—state
27 appropriation, and \$149,776,000 of the motor vehicle account—state
28 appropriation are provided solely for the Fish Passage Barrier
29 Removal project (OBI4001) ~~((with the intent of fully complying with
30 the federal U.S. v. Washington court injunction by 2030))~~.

31 (b) It is the intent of the legislature, over the 16-year move
32 ahead WA investment program, to provide \$2,435,000,000 for fish
33 passage barrier removal with the intent of fully complying with the
34 federal U.S. v. Washington court injunction by 2030. Furthermore, it
35 is the intent of the legislature that funding provided for this
36 purpose may be used to jointly leverage state and local funds for
37 match requirements in applying for competitive federal aid grants
38 provided in the infrastructure investment and jobs act for removals
39 of fish passage barriers under the national culvert removal,

1 replacement, and restoration program. State funds used for the
2 purpose described in this subsection must not compromise fully
3 complying with the court injunction by 2030.

4 (c) The department shall coordinate with the Brian Abbott fish
5 passage barrier removal board to use a watershed approach by
6 replacing both state and local culverts guided by the principle of
7 providing the greatest fish habitat gain at the earliest time. The
8 department shall deliver high habitat value fish passage barrier
9 corrections that it has identified, guided by the following factors:
10 Opportunity to bundle projects, tribal priorities, ability to
11 leverage investments by others, presence of other barriers, project
12 readiness, culvert conditions, other transportation projects in the
13 area, and transportation impacts. The department and Brian Abbott
14 fish barrier removal board must provide updates on the implementation
15 of the statewide culvert remediation plan to the legislature by
16 November 1, 2021, and June 1, 2022.

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

20 ~~((d))~~ (e) Of the amount provided in this subsection,
21 \$142,923,000 of the motor vehicle account—federal appropriation
22 reflects the department's portion of the unrestricted funds from the
23 coronavirus response and relief supplemental appropriations act of
24 2021. If the final amount from this act changes while the legislature
25 is not in session, the department shall follow the existing
26 unanticipated receipt process and adjust the list referenced in
27 subsection (1) of this section accordingly, supplanting state funds
28 with federal funds if possible as directed in section 601, chapter
29 333, Laws of 2021.

30 ~~((14) — \$14,367,000))~~ (13) \$13,542,000 of the connecting
31 Washington account—state appropriation ~~((, — \$311,000 — of the motor~~
32 ~~vehicle account — state appropriation,))~~ and ~~((\$3,149,000))~~ \$4,285,000
33 of the motor vehicle account—private/local appropriation are provided
34 solely for the I-90/Barker to Harvard - Improve Interchanges & Local
35 Roads project (L2000122). The connecting Washington account
36 appropriation for the improvements that fall within the city of
37 Liberty Lake may only be expended if the city of Liberty Lake agrees
38 to cover any project costs within the city of Liberty Lake above the

1 \$20,900,000 of state appropriation provided for the total project on
2 the list referenced in subsection (1) of this section.

3 ~~((15) \$16,984,000))~~ (14) \$17,071,000 of the motor vehicle
4 account—federal appropriation, ~~((269,000))~~ \$177,000 of the motor
5 vehicle account—state appropriation, \$1,700,000 of the transportation
6 partnership account—state appropriation, \$5,000 of the motor vehicle
7 account—private/local appropriation, and ~~((17,900,000))~~ \$13,666,000
8 of the Interstate 405 and state route number 167 express toll lanes
9 account—state appropriation are provided solely for the SR 167/SR 410
10 to SR 18 - Congestion Management project (316706C).

11 ~~((16) \$18,915,000))~~ (15) \$17,019,000 of the Special Category C
12 account—state appropriation is provided solely for the SR 18 Widening
13 - Issaquah/Hobart Rd to Raging River project (L1000199) for improving
14 and widening state route number 18 to four lanes from Issaquah-Hobart
15 Road to Raging River.

16 ~~((17) \$2,500,000))~~ (16) \$2,000,000 of the connecting Washington
17 account—state appropriation is provided solely for the North Lewis
18 County transportation study. The study shall examine new, alternate
19 routes for vehicular and truck traffic at the Harrison interchange
20 (Exit 82) in North Centralia and shall allow for a site and
21 configuration to be selected and feasibility to be conducted for
22 final design, permitting, and construction of the I-5/North Lewis
23 county Interchange project (L2000204). It is the intent of the
24 legislature to advance future funding for this project to accelerate
25 delivery by up to two years.

26 ~~((18) \$1,237,000))~~ (17) \$148,000 of the motor vehicle account—
27 state appropriation is provided solely for the US 101/East Sequim
28 Corridor Improvements project (L2000343).

29 ~~((19) \$2,197,000))~~ (18) (a) \$1,223,000 of the motor vehicle
30 account—state appropriation ~~((and \$749,000 of the connecting~~
31 ~~Washington account—state appropriation are))~~ is provided solely for
32 the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/
33 Engineering) project (NPARADI).

34 (b) The department must consider reserving portions of state
35 route number 522, including designated lanes or ramps, for the
36 exclusive or preferential use of public transportation vehicles,
37 privately owned buses, motorcycles, private motor vehicles carrying
38 not less than a specified number of passengers, or private
39 transportation provider vehicles pursuant to RCW 47.52.025.

1 ~~((20) \$1,455,000)~~ (19) \$1,382,000 of the motor vehicle account—
2 federal appropriation ~~((is))~~ and \$73,000 of the motor vehicle account
3 —State appropriation are provided solely for the US 101/Morse Creek
4 Safety Barrier project (L1000247).

5 ~~((21) \$1,000,000)~~ (20) \$780,000 of the motor vehicle account—
6 state appropriation is provided solely for the SR 162/410 Interchange
7 Design and Right of Way project (L1000276).

8 ~~((22) \$7,185,000)~~ (21) \$1,892,000 of the connecting Washington
9 account—state appropriation ~~((is))~~, \$2,000 of the motor vehicle
10 account—private/local appropriation, and \$7,000 of the motor vehicle
11 account—state appropriation are provided solely for the US Hwy 2
12 Safety project (N00200R).

13 ~~((23))~~ (22) The department shall itemize all future requests
14 for the construction of buildings on a project list and submit them
15 through the transportation executive information system as part of
16 the department's annual budget submittal. It is the intent of the
17 legislature that new facility construction must be transparent and
18 not appropriated within larger highway construction projects.

19 ~~((24))~~ (23) Any advisory group that the department convenes
20 during the 2021-2023 fiscal biennium must consider the interests of
21 the entire state of Washington.

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

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

1 desirable products for recycling and reuse by state and federal
2 agencies.

3 As these recyclable materials have well established markets, are
4 substantially a primary or secondary product of necessary
5 construction processes and production, and are managed as an item of
6 commercial value, construction aggregate and recycled concrete
7 materials are exempt from chapter 173-350 WAC.

8 ~~((26))~~ (25) \$2,738,000 of the motor vehicle account—state
9 appropriation is provided solely for the US 97 Wildlife Crossing
10 Improvements project (L2021117). It is the intent of the legislature
11 that, to the extent possible, the department use this funding as
12 match for competitive federal funding to make additional wildlife
13 crossing improvements on the corridor. The department must report to
14 the transportation committees of the legislature with additional
15 corridors that could benefit from wildlife crossing improvements and
16 that are likely to successfully compete for federal funding.

17 ~~((27) \$12,635,000))~~ (26) \$2,830,000 of the connecting Washington
18 account—state appropriation is provided solely for the SR 3 Freight
19 Corridor (T30400R) project. The legislature intends to provide a
20 total of \$78,910,000 for this project, including an increase of
21 \$12,000,000 in future biennia to safeguard against inflation and
22 supply/labor interruptions and ensure that:

23 (a) The northern terminus remains at Lake Flora Road and the
24 southern terminus at the intersection of SR 3/SR 302;

25 (b) Multimodal safety improvements at the southern terminus
26 remain in the project to provide connections to North Mason school
27 district and provide safe routes to schools; and

28 (c) Intersections on the freight corridor are constructed at
29 Romance Hill and Log Yard road.

30 ~~((28) \$450,000 of the motor vehicle account—state appropriation
31 is provided solely for the SR 900 Safety Improvements project
32 (L2021118). The department must: (a) Work in collaboration with King
33 county and Skyway coalition to align community assets, transportation
34 infrastructure needs, and initial design for safety improvements
35 along SR 900; and (b) work with the Skyway coalition to lead
36 community planning engagement and active transportation activities.~~

37 ~~(29) \$5,694,000))~~ (27) \$3,686,000 of the connecting Washington
38 account—state appropriation is provided solely for the I-5/Chamber
39 Way Interchange Vicinity Improvements project (L2000223).

1 (~~(30) \$500,000~~) (28) \$166,000 of the motor vehicle account—
2 state appropriation is provided solely for SR 162/SR 161 Additional
3 Connectivity in South Pierce County project (L1000312) to conduct a
4 study on the need for additional connectivity in the area between SR
5 162, south of Military Road East and north of Orting, and SR 161 in
6 South Pierce county.

7 (29) \$3,000,000 of the move ahead WA—state appropriation is
8 provided solely for the US 2 Trestle Capacity Improvements &
9 Westbound Trestle Replacement project (L4000056). It is the intent of
10 the legislature, over the 16-year move ahead WA investment program,
11 to provide \$210,541,000 for planning, design, right-of-way
12 acquisition, interim improvements, and initial construction. It is
13 the further intent of the legislature that this project enhance
14 multimodal mobility options on the US 2 Trestle. The planning, design
15 and engineering work must consider options to enhance transit and
16 multimodal mobility, including bus rapid transit. The department must
17 report to the legislature with its preliminary analysis of these
18 options by June 30, 2023.

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

38 (31)(a) It is the intent of the legislature, over the 16-year
39 move ahead WA investment program, to provide \$500,000,000 for the
40 stormwater retrofits and improvements project (L4000040).

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

6 (c) The funding provided for stormwater retrofits and
7 improvements must enhance stormwater runoff treatment from existing
8 roads and infrastructure with an emphasis on green infrastructure
9 retrofits. Projects must be prioritized based on benefits to salmon
10 recovery and ecosystem health, reducing toxic pollution, addressing
11 health disparities, and cost-effectiveness. The department must
12 submit progress reports on its efforts to reduce the toxicity of
13 stormwater runoff from existing infrastructure, recommendations for
14 addressing barriers to innovative solutions, and anticipated demand
15 for funding each biennium.

16 **Sec. 907.** 2022 c 186 s 306 (uncodified) is amended to read as
17 follows:

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

19	Recreational Vehicle Account—State Appropriation.	\$1,520,000
20	Transportation 2003 Account (Nickel Account)—State	
21	Appropriation.	\$53,911,000
22	Transportation Partnership Account—State	
23	Appropriation.	(\$21,441,000)
24		<u>\$23,038,000</u>
25	Motor Vehicle Account—State Appropriation.	(\$111,174,000)
26		<u>\$121,099,000</u>
27	Motor Vehicle Account—Federal Appropriation.	(\$545,560,000)
28		<u>\$583,466,000</u>
29	Motor Vehicle Account—Private/Local Appropriation.	(\$13,735,000)
30		<u>\$13,734,000</u>
31	Connecting Washington Account—State Appropriation.	(\$224,342,000)
32		<u>\$129,001,000</u>
33	State Route Number 520 Corridor Account—State	
34	Appropriation.	(\$2,143,000)
35		<u>\$812,000</u>
36	Tacoma Narrows Toll Bridge Account—State	
37	Appropriation.	(\$5,676,000)
38		<u>\$3,578,000</u>

1	Alaskan Way Viaduct Replacement Project Account—	
2	State Appropriation.	((\$391,000))
3		<u>\$251,000</u>
4	Interstate 405 and State Route Number 167 Express	
5	Toll Lanes Account—State Appropriation.	((\$12,830,000))
6		<u>\$9,216,000</u>
7	TOTAL APPROPRIATION.	((\$992,723,000))
8		<u>\$939,626,000</u>

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

11 (1) Except as provided otherwise in this section, the entire
12 connecting Washington account—state appropriation and the entire
13 transportation partnership account—state appropriation are provided
14 solely for the projects and activities as listed by fund, project,
15 and amount in LEAP Transportation Document ((~~2022-1~~) 2023-1 as
16 developed ((~~March 9, 2022~~) April 21, 2023, Program - Highway
17 Preservation Program (P). However, limited transfers of specific
18 line-item project appropriations may occur between projects for those
19 amounts listed subject to the conditions and limitations in section
20 601((~~, chapter 333, Laws of 2021~~)) of this act.

21 (2) Except as provided otherwise in this section, the entire
22 motor vehicle account—state appropriation and motor vehicle account—
23 federal appropriation are provided solely for the projects and
24 activities listed in LEAP Transportation Document ((~~2022-2~~) 2023-2
25 ALL PROJECTS as developed ((~~March 9, 2022~~) April 21, 2023, Program -
26 Highway Preservation Program (P). Any federal funds gained through
27 efficiencies, adjustments to the federal funds forecast, or the
28 federal funds redistribution process must then be applied to highway
29 and bridge preservation activities or fish passage barrier
30 corrections (0BI4001)((~~, as long as the application of the funds is~~
31 ~~not inconsistent with subsection (10) of this section~~)).

32 (3) Within the motor vehicle account—state appropriation and
33 motor vehicle account—federal appropriation, the department may
34 transfer ((~~funds~~)) appropriation authority between programs I and P,
35 except for ((~~funds~~)) appropriation authority that ((~~are~~)) is
36 otherwise restricted in this act. Ten days prior to any transfer, the
37 department must submit its request to the office of financial
38 management and the transportation committees of the legislature and
39 consider any concerns raised. The department shall submit a report on

1 fiscal year funds transferred in the prior fiscal year using this
2 subsection as part of the department's annual budget submittal.

3 (4) \$8,531,000 of the connecting Washington account—state
4 appropriation is provided solely for the land mobile radio upgrade
5 (G2000055) and is subject to the conditions, limitations, and review
6 provided in section 701, chapter 333, Laws of 2021. The land mobile
7 radio project is subject to technical oversight by the office of the
8 chief information officer. The department, in collaboration with the
9 office of the chief information officer, shall identify where
10 existing or proposed mobile radio technology investments should be
11 consolidated, identify when existing or proposed mobile radio
12 technology investments can be reused or leveraged to meet multiagency
13 needs, increase mobile radio interoperability between agencies, and
14 identify how redundant investments can be reduced over time. The
15 department shall also provide quarterly reports to the technology
16 services board on project progress.

17 (5) \$5,000,000 of the motor vehicle account—state appropriation
18 is provided solely for extraordinary costs incurred from litigation
19 awards, settlements, or dispute mitigation activities not eligible
20 for funding from the self-insurance fund (L2000290). The amount
21 provided in this subsection must be held in unallotted status until
22 the department submits a request to the office of financial
23 management that includes documentation detailing litigation-related
24 expenses. The office of financial management may release the funds
25 only when it determines that all other funds designated for
26 litigation awards, settlements, and dispute mitigation activities
27 have been exhausted. No funds provided in this subsection may be
28 expended on any legal fees related to the SR 99/Alaskan Way viaduct
29 replacement project (809936Z).

30 (6) \$11,679,000 of the motor vehicle account—federal
31 appropriation is provided solely for preservation projects within
32 project L1100071 that ensure the reliable movement of freight on the
33 national highway freight system. The department shall give priority
34 to those projects that can be advertised by September 30, 2021.

35 (7) The appropriation in this section includes funding for
36 starting planning, engineering, and construction of the Elwha River
37 bridge replacement. To the greatest extent practicable, the
38 department shall maintain public access on the existing route.

1 (8) Within the connecting Washington account—state appropriation,
2 the department may transfer funds from Highway System Preservation
3 (L1100071) to other preservation projects listed in the LEAP
4 transportation document identified in subsection (1) of this section,
5 if it is determined necessary for completion of these high priority
6 preservation projects. The department's next budget submittal after
7 using this subsection must appropriately reflect the transfer.

8 ~~((9) \$1,700,000 of the motor vehicle account—state appropriation~~
9 ~~is provided solely for the SR 109/88 Corner Roadway project~~
10 ~~(G2000106).))~~

11 **Sec. 908.** 2022 c 186 s 307 (uncodified) is amended to read as
12 follows:

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

15 Motor Vehicle Account—State Appropriation.	((9,618,000))
	<u>\$9,473,000</u>
17 Motor Vehicle Account—Federal Appropriation.	\$11,215,000
18 Motor Vehicle Account—Private/Local Appropriation.	\$500,000
19 Interstate 405 and State Route Number 167 Express 20 Toll Lanes Account—State Appropriation.	\$900,000
21 <u>Move Ahead WA Account—State Appropriation.</u>	<u>\$611,000</u>
22 TOTAL APPROPRIATION.	((22,233,000))
23	<u>\$22,699,000</u>

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

26 (1) ~~((579,000))~~ \$580,000 of the motor vehicle account—state
27 appropriation is provided solely for the SR 99 Aurora Bridge ITS
28 project (L2000338).

29 (2) \$1,001,000 of the motor vehicle account—state appropriation,
30 \$611,000 of the move ahead WA account—state appropriation, and
31 ~~((2,060,000))~~ \$2,018,000 of the motor vehicle account—federal
32 appropriation are provided solely for the Challenge Seattle project
33 (000009Q). The department shall provide a progress report on this
34 project to the transportation committees of the legislature by
35 January 15, 2022.

36 **Sec. 909.** 2022 c 186 s 308 (uncodified) is amended to read as
37 follows:

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

2 **CONSTRUCTION—PROGRAM W**

3	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$2,804,000</u>
4	Puget Sound Capital Construction Account—State	
5	Appropriation.	((\$167,533,000))
6		<u>\$141,382,000</u>
7	Puget Sound Capital Construction Account—Federal	
8	Appropriation.	((\$180,571,000))
9		<u>\$154,634,000</u>
10	Puget Sound Capital Construction Account—	
11	Private/Local Appropriation.	((\$2,181,000))
12		<u>\$1,844,000</u>
13	Transportation Partnership Account—State	
14	Appropriation.	((\$9,432,000))
15		<u>\$3,759,000</u>
16	Connecting Washington Account—State Appropriation.	((\$99,141,000))
17		<u>\$97,904,000</u>
18	Capital Vessel Replacement Account—State	
19	Appropriation.	((\$45,668,000))
20		<u>\$5,769,000</u>
21	((Motor Vehicle Account—State Appropriation.	(\$1,000))
22	Transportation 2003 Account (Nickel Account)—State	
23	Appropriation.	\$987,000
24	TOTAL APPROPRIATION.	((\$505,514,000))
25		<u>\$409,083,000</u>

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

28 (1) Except as provided otherwise in this section, the entire
29 appropriations in this section are provided solely for the projects
30 and activities as listed in LEAP Transportation Document ((2022-2))
31 2023-2 ALL PROJECTS as developed ((~~March 9, 2022~~)) April 21, 2023,
32 Program - Washington State Ferries Capital Program (W).

33 (2) For the 2021-2023 biennium, the marine division shall provide
34 to the office of financial management and the legislative
35 transportation committees the following reports on ferry capital
36 projects:

37 (a) On a semiannual basis the report must include a status update
38 on projects with funding provided in subsections (4), (5), (6), and
39 (8) of this section including, but not limited to, the following:

- 1 (i) Anticipated cost increases and cost savings;
2 (ii) Anticipated cash flow and schedule changes; and
3 (iii) Explanations for the changes.

4 (b) On an annual basis the report must include a status update on
5 vessel and terminal preservation and improvement plans including, but
6 not limited to, the following:

- 7 (i) What work has been done;
8 (ii) How have schedules shifted; and
9 (iii) Associated changes in funding among projects, accompanied
10 by explanations for the changes.

11 (c) On an annual basis the report must include an update on the
12 implementation of the maintenance management system with
13 recommendations for using the system to improve the efficiency of
14 project reporting under this subsection.

15 (3) (~~(\$12,232,000)~~) \$19,940,000 of the Puget Sound capital
16 construction account—state appropriation is provided solely for
17 emergency capital repair costs (999910K). Funds may only be spent
18 after approval by the office of financial management.

19 (4) (~~(\$2,385,000)~~) \$2,384,000 of the Puget Sound capital
20 construction account—state appropriation is provided solely for the
21 ORCA card next generation project (L2000300). The ferry system shall
22 work with Washington technology solutions and the tolling division on
23 the development of a new, interoperable ticketing system.

24 (5) (~~(\$28,134,000)~~) \$3,656,000 of the Puget Sound capital
25 construction account—state appropriation is provided solely for the
26 conversion of up to two Jumbo Mark II vessels to electric hybrid
27 propulsion (G2000084). The department shall seek additional funds for
28 the purposes of this subsection. The department may spend from the
29 Puget Sound capital construction account—state appropriation in this
30 section only as much as the department receives in Volkswagen
31 settlement funds for the purposes of this subsection.

32 (6) (~~(\$45,668,000)~~) \$5,769,000 of the capital vessel replacement
33 account—state appropriation is provided solely for the acquisition of
34 a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature
35 amended RCW 47.60.810 to direct the department to modify an existing
36 vessel construction contract to provide for an additional five
37 ferries. As such, it is the intent of the legislature that the
38 department award the contract for the hybrid electric Olympic class
39 vessel #5(L2000329) in a timely manner. In addition, the legislature

1 intends to minimize costs and maximize construction efficiency by
2 providing sufficient funding for construction of all five vessels,
3 including funding for long lead time materials procured at the lowest
4 possible prices. The commencement of construction of new vessels for
5 the ferry system is important not only for safety reasons, but also
6 to keep skilled marine construction jobs in the Puget Sound region
7 and to sustain the capacity of the region to meet the ongoing
8 construction and preservation needs of the ferry system fleet of
9 vessels. The legislature has determined that the current vessel
10 procurement process must move forward with all due speed, balancing
11 the interests of both the taxpayers and shipyards. To accomplish
12 construction of vessels in accordance with RCW 47.60.810, the
13 prevailing shipbuilder, for vessels initially funded after July 1,
14 2020, is encouraged to follow the historical practice of
15 subcontracting the construction of ferry superstructures to a
16 separate nonaffiliated contractor located within the Puget Sound
17 region, that is qualified in accordance with RCW 47.60.690. If the
18 department elects not to execute a new modification to an existing
19 option contract for one or more additional 144-auto ferries under RCW
20 47.60.810(4), the department shall proceed with development of a new
21 design-build request for proposals in accordance with RCW 47.60.810,
22 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820,
23 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this
24 section, \$200,000 is provided solely for hiring an independent
25 owner's representative to perform quality oversight, manage the
26 change order process, and ensure contract compliance.

27 ~~(7) ((The capital vessel replacement account state appropriation~~
28 ~~includes up to \$45,468,000 in proceeds from the sale of bonds~~
29 ~~authorized in RCW 47.10.873.~~

30 ~~(8) \$4,200,000))~~ \$2,838,000 of the connecting Washington account—
31 state appropriation is provided solely for ferry vessel and terminal
32 preservation (L2000110). The funds provided in this subsection must
33 be used for unplanned preservation needs before shifting funding from
34 other preservation projects.

35 **Sec. 910.** 2022 c 186 s 309 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**
38 **Essential Rail Assistance Account—State**

1	Appropriation.	\$1,108,000
2	Transportation Infrastructure Account—State	
3	Appropriation.	((6,218,000))
4		<u>\$6,219,000</u>
5	Multimodal Transportation Account—State	
6	Appropriation.	((118,320,000))
7		<u>\$57,518,000</u>
8	Multimodal Transportation Account—Federal	
9	Appropriation.	((6,567,000))
10		<u>\$7,885,000</u>
11	Multimodal Transportation Account—Private/Local	
12	Appropriation.	\$13,000
13	Motor Vehicle Account—State Appropriation.	\$1,810,000
14	TOTAL APPROPRIATION.	((134,036,000))
15		<u>\$74,553,000</u>

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

18 (1) Except as provided otherwise in this section, the entire
19 appropriations in this section are provided solely for the projects
20 and activities as listed by project and amount in LEAP Transportation
21 Document ~~((2022-2))~~ 2023-2 ALL PROJECTS as developed ~~((March 9,~~
22 ~~2022))~~ April 21, 2023, Program - Rail Program (Y).

23 (2) \$5,089,000 of the transportation infrastructure account—state
24 appropriation is provided solely for new low-interest loans approved
25 by the department through the freight rail investment bank (FRIB)
26 program. The department shall issue FRIB program loans with a
27 repayment period of no more than ten years, and charge only so much
28 interest as is necessary to recoup the department's costs to
29 administer the loans. The department shall report annually to the
30 transportation committees of the legislature and the office of
31 financial management on all FRIB loans issued. FRIB program loans may
32 be recommended by the department for 2022 supplemental transportation
33 appropriations up to the amount provided in this appropriation that
34 has not been provided for the projects listed in ~~((2021-2—ALL~~
35 ~~PROJECTS,—as))~~ the LEAP transportation document referenced in
36 subsection (1) of this section. The department shall submit a
37 prioritized list for any loans recommended to the office of financial
38 management and the transportation committees of the legislature by
39 November 15, 2021.

1 (3) \$7,041,000 of the multimodal transportation account—state
2 appropriation is provided solely for new statewide emergent freight
3 rail assistance projects identified in the LEAP transportation
4 document referenced in subsection (1) of this section.

5 (4) \$367,000 of the transportation infrastructure account—state
6 appropriation and \$1,100,000 of the multimodal transportation account
7 —state appropriation are provided solely to reimburse Highline Grain,
8 LLC for approved work completed on Palouse River and Coulee City
9 (PCC) railroad track in Spokane county between the BNSF Railway
10 Interchange at Cheney and Geiger Junction and must be administered in
11 a manner consistent with freight rail assistance program projects.
12 The value of the public benefit of this project is expected to meet
13 or exceed the cost of this project in: Shipper savings on
14 transportation costs; jobs saved in rail-dependent industries; and/or
15 reduced future costs to repair wear and tear on state and local
16 highways due to fewer annual truck trips (reduced vehicle miles
17 traveled). The amounts provided in this subsection are not a
18 commitment for future legislatures, but it is the legislature's
19 intent that future legislatures will work to approve biennial
20 appropriations until the full \$7,337,000 cost of this project is
21 reimbursed.

22 (5) (a) \$1,008,000 of the essential rail assistance account—state
23 appropriation is provided solely for the purpose of the
24 rehabilitation and maintenance of the Palouse river and Coulee City
25 railroad line (F01111B).

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

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

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

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

37 (6) The department shall issue a call for projects for the
38 freight rail assistance program, and shall evaluate the applications
39 in a manner consistent with past practices as specified in section

1 309, chapter 367, Laws of 2011. By November 15, 2022, the department
2 shall submit a prioritized list of recommended projects to the office
3 of financial management and the transportation committees of the
4 legislature.

5 (7) (~~(\$32,996,000)~~) \$672,000 of the multimodal transportation
6 account—state appropriation is provided solely for Passenger Rail
7 Equipment Replacement (project 700010C). The appropriation in this
8 subsection include insurance proceeds received by the state. The
9 department must use these funds only to purchase replacement
10 equipment that has been competitively procured and for service
11 recovery needs and corrective actions related to the December 2017
12 derailment.

13 (8) It is the intent of the legislature to encourage the
14 department to pursue federal grant opportunities leveraging up to
15 \$6,696,000 in connecting Washington programmed funds to be used as a
16 state match to improve the state-owned Palouse river and Coulee City
17 system. The amount listed in this subsection is not a commitment for
18 future legislatures, but is the legislature's intent that future
19 legislatures will work to approve biennial appropriations up to a
20 state match share not to exceed \$6,696,000 of a grant award.

21 (9) \$500,000 of the multimodal transportation account—state
22 appropriation is provided solely for the Chelatchie Prairie railroad
23 for track improvement activities on the northern part of the railroad
24 (L1000311).

25 **Sec. 911.** 2022 c 186 s 310 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—**
28 **CAPITAL**

29	<u>Freight Mobility Investment Account—State</u>	
30	<u>Appropriation.</u>	\$5,875,000
31	<u>Freight Mobility Multimodal Account—State</u>	
32	<u>Appropriation.</u>	\$910,000
33	Highway Infrastructure Account—State Appropriation. . . .	\$1,744,000
34	Highway Infrastructure Account—Federal Appropriation	
35	\$2,935,000
36	Transportation Partnership Account—State	
37	Appropriation.	((\$1,000,000))
38		<u>\$500,000</u>

1	Motor Vehicle Account—State Appropriation.	((\$25,101,000))
2		<u>\$21,481,000</u>
3	Motor Vehicle Account—Federal Appropriation.	((\$79,306,000))
4		<u>\$44,945,000</u>
5	Motor Vehicle Account—Private/Local Appropriation.	\$6,600,000
6	Connecting Washington Account—State Appropriation.	((\$178,464,000))
7		<u>\$134,915,000</u>
8	Multimodal Transportation Account—State	
9	Appropriation.	((\$96,975,000))
10		<u>\$62,362,000</u>
11	<u>Move Ahead WA Account—State Appropriation.</u>	<u>\$4,000,000</u>
12	<u>Move Ahead WA Flexible Account—State Appropriation.</u>	<u>\$3,000,000</u>
13	<u>Climate Active Transportation Account—State</u>	
14	<u>Appropriation.</u>	<u>\$12,182,000</u>
15	TOTAL APPROPRIATION.	((\$392,125,000))
16		<u>\$301,449,000</u>

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

19 (1) Except as provided otherwise in this section, the entire
20 appropriations in this section are provided solely for the projects
21 and activities as listed by project and amount in LEAP Transportation
22 Document ((~~2022-2~~)) 2023-2 ALL PROJECTS as developed ((~~March 9,~~
23 ~~2022~~)) April 21, 2023, Program - Local Programs Program (Z).

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

27 (a) (i) ((~~\$46,163,000~~)) \$29,870,000 of the multimodal
28 transportation account—state appropriation is provided solely for
29 pedestrian and bicycle safety program projects (L2000188).

30 (ii) The state route 99/Aurora Avenue North Planning Study funded
31 in this subsection (2)(a) must prioritize designs that ensure slow
32 vehicle speeds and systematic improvement to the quality of
33 multimodal access, and must be fully completed by September 30, 2023,
34 in order to ensure construction of improvements begin no later than
35 March 1, 2024.

36 (b) ((~~\$26,086,000~~)) \$18,349,000 of the motor vehicle account—
37 federal appropriation and ((~~\$21,656,000~~)) \$16,562,000 of the
38 multimodal transportation account—state appropriation are provided
39 solely for safe routes to school projects (L2000189). The department

1 may consider the special situations facing high-need areas, as
2 defined by schools or project areas in which the percentage of the
3 children eligible to receive free and reduced-price meals under the
4 national school lunch program is equal to, or greater than, the state
5 average as determined by the department, when evaluating project
6 proposals against established funding criteria while ensuring
7 continued compliance with federal eligibility requirements.

8 (3) The department shall submit a report to the transportation
9 committees of the legislature by December 1, 2021, and December 1,
10 2022, on the status of projects funded as part of the pedestrian
11 safety/safe routes to school grant program. The report must include,
12 but is not limited to, a list of projects selected and a brief
13 description of each project's status. In its December 1, 2021, report
14 the department must also include recommended changes to the
15 pedestrian safety/safe routes to school grant program application and
16 selection processes to increase utilization by a greater diversity of
17 jurisdictions.

18 (4) (~~(\$11,987,000)~~) \$9,537,000 of the multimodal transportation
19 account—state appropriation is provided solely for bicycle and
20 pedestrian projects listed in the LEAP transportation document
21 referenced in subsection (1) of this section.

22 (5) It is the expectation of the legislature that the department
23 will be administering a local railroad crossing safety grant program
24 for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

25 (6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—
26 federal appropriation is provided solely for national highway freight
27 network projects identified on the project list submitted in
28 accordance with section 218(4)(b), chapter 14, Laws of 2016 on
29 October 31, 2016 (L1000169).

30 (7) When the department updates its federally-compliant freight
31 plan, it shall consult the freight mobility strategic investment
32 board on the freight plan update and on the investment plan component
33 that describes how the estimated funding allocation for the national
34 highway freight program for federal fiscal years 2022-2025 will be
35 invested and matched. The investment plan component for the state
36 portion of national highway freight program funds must first address
37 shortfalls in funding for connecting Washington act projects. The
38 department shall complete the freight plan update in compliance with
39 federal requirements and deadlines and shall provide an update on the
40 development of the freight plan, including the investment plan

1 component, when submitting its 2022 supplemental appropriations
2 request.

3 (8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—
4 federal appropriation is provided solely for acceleration of local
5 preservation projects that ensure the reliable movement of freight on
6 the national highway freight system (G2000100). The department will
7 identify projects through its current national highway system asset
8 management call for projects with applications due in February 2021.
9 The department shall give priority to those projects that can be
10 obligated by September 30, 2021.

11 (9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation
12 account—state appropriation is provided solely for a grant to the
13 Northwest Seaport Alliance (NWSA) to lead the creation and
14 coordination of a multistakeholder zero emissions truck collaborative
15 that will: (a) Facilitate the development and implementation of one
16 or more zero-emissions drayage truck demonstration projects in
17 Washington state; and (b) develop a roadmap for transitioning the
18 entire fleet of approximately 4,500 drayage trucks that serve the
19 NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner.

20 (10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington
21 account—state appropriation is provided solely for the I-5/Mellen
22 Street Connector project.

23 (11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state
24 appropriation is provided solely for the 166th/SR 410 Interchange.

25 (12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state
26 appropriation is provided solely for repairs and rehabilitation of
27 the Pierce county ferry landings at Anderson Island and Steilacoom.

28 (13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state
29 appropriation is provided solely for the city of Spokane for
30 preliminary engineering of the US 195/Inland Empire Way project.
31 Funds may be used for predesign environmental assessment work,
32 community engagement, design, and project cost estimation.

33 (14) \$6,686,000 of the climate active transportation account—
34 state appropriation is provided solely for newly selected safe routes
35 to school grants.

36 (15) \$5,496,000 of the climate active transportation account—
37 state appropriation is provided solely for newly selected pedestrian
38 and bicycle grants.

1 (16) It is the intent of the legislature that up to \$14,000,000
2 will be provided for the Guemes Ferry Boat Replacement project
3 (L4000124).

4 (17) \$3,000,000 of the move ahead WA flexible account—state
5 appropriation is provided solely for railroad crossing grant awards
6 which match federal funds for city and county projects which
7 eliminate at-grade highway-rail crossings.

8 (18) It is the intent of the legislature that \$25,000,000 will be
9 provided as part of the move ahead WA investment package in a future
10 biennium, as indicated on the list identified in subsection (1) of
11 this section, for the Ballard and Magnolia Bridge project (L4000123).
12 As part of the project, the Seattle department of transportation
13 (SDOT) must consult with an independent engineering firm to verify
14 that the costs for the type, size, and location preliminary design
15 report (TS&L), environmental impact statement (EIS), and 60 percent
16 design work are within industry cost range standards in advance of
17 moving forward with construction. SDOT must ensure that funds are
18 maximized by limiting the percentage for TS&L, EIS, and 60 percent
19 design work to 10 percent of the total cost of the project. Of the
20 \$25,000,000, \$12,500,000 must remain in unallotted status, and may be
21 distributed to SDOT only upon determination by the office of
22 financial management that SDOT's cost estimates have been verified by
23 an independent engineering firm as within industry cost range
24 standards, and SDOT has secured the additional matching funding
25 needed to complete the TS&L, EIS, and 60 percent design work.

26 (19) (a) It is the intent of the legislature, over the first five
27 years of the move ahead WA program, that \$50,000,000 will be provided
28 to SDOT to implement Aurora Avenue North Safety Improvements
29 (L4000154). Under this program, SDOT will be required to implement
30 strategic transportation investments for the Aurora Ave N Corridor
31 from N 90th St to N 105th St that ensure slow vehicle speeds,
32 walkability, multimodal mobility, safe routes to local schools, and
33 safety for residents, which will demonstrate the benefits of similar
34 transportation investments for other locations along Aurora Avenue
35 and elsewhere. SDOT must convene a neighborhood oversight board
36 consisting of residents of communities of the Aurora Ave N Corridor
37 to prioritize investments and monitor project implementation. The
38 oversight board should be composed of an equitable representation of
39 local communities along the Aurora Ave N Corridor, including
40 residents with disabilities. SDOT will ensure that the oversight

1 board is consulted on a bimonthly basis during the prioritization
2 process.

3 (b) The legislature intends, upon completion of the State Route
4 99/Aurora Avenue North Planning Study, that projects recommended in
5 the study will be funded by this program. A specific focus must be on
6 access management to consolidate driveways and improve safety for
7 vulnerable users. This work must also include installation of full
8 curb and sidewalks to improve safety, mobility, transit ridership,
9 equity, and work towards the goals set forth in vision zero, target
10 zero, and the Washington state active transportation plan. SDOT must
11 ensure the design and implementation of an accessible sidewalk
12 network to support users with mobility limitations, convenient and
13 accessible transit stops, all-ages-and-abilities bicycle facilities,
14 and safe pedestrian-activated crosswalks that puts safety over speed,
15 balances the needs of different modes, reduces the level of traffic
16 stress experienced by pedestrians and cyclists, connects to existing
17 bicycle and transit networks, creates safe walking and bicycling
18 routes to local schools including crosswalks, improves human and
19 environmental health, and supports the surrounding neighborhoods.
20 SDOT must coordinate with the Washington state department of
21 transportation and King county metro in implementing the investments.
22 SDOT must ensure that funds are maximized by limiting the percentage
23 for planning, predesign, design, permitting, and environmental review
24 to 10 percent of the total cost of each project.

25 (c) The legislature intends that all Aurora Avenue North Safety
26 Improvement projects funded in this program be completed by December
27 31, 2029, and that no funds may be expended for this purpose after
28 this date.

29 (20) \$800,000 of the motor vehicle account—state appropriation is
30 provided solely for the SR 109/88 Corner Roadway project (G2000106).

31 (21) The entire move ahead WA account—state appropriation is
32 provided solely for the Move Ahead WA - Road and Highway Projects as
33 listed in LEAP Transportation Document 2023-2 ALL PROJECTS as
34 developed April 21, 2023.

(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 Sec. 1001. 2022 c 186 s 401 (uncodified) is amended to read as
3 follows:

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

8	Transportation Partnership Account—State	
9	Appropriation.	((\$794,000))
10		<u>\$273,000</u>
11	((Connecting Washington Account—State Appropriation.	\$1,633,000))
12	Special Category C Account—State Appropriation.	((\$257,000))
13		<u>\$74,000</u>
14	Highway Bond Retirement Account—State Appropriation	((\$1,408,622,000))
15		<u>\$1,406,513,000</u>
16	Ferry Bond Retirement Account—State Appropriation.	\$17,150,000
17	Transportation Improvement Board Bond Retirement	
18	Account—State Appropriation.	((\$18,152,000))
19		<u>\$18,055,000</u>
20	Nondebt-Limit Reimbursable Bond Retirement Account—	
21	State Appropriation.	((\$26,278,000))
22		<u>\$29,238,000</u>
23	Toll Facility Bond Retirement Account—State	
24	Appropriation.	\$76,376,000
25	TOTAL APPROPRIATION.	((\$1,542,811,000))
26		<u>\$1,547,679,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$6,451,550 of the transportation
29 improvement board bond retirement account—state appropriation is
30 provided solely for the prepayment of certain outstanding bonds and
31 debt service.

32 Sec. 1002. 2022 c 186 s 402 (uncodified) is amended to read as
33 follows:

34 FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING
35 BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND
36 FISCAL AGENT CHARGES

37 Transportation Partnership Account—State

1	Appropriation.	((\$150,000))
2		<u>\$51,000</u>
3	((Connecting Washington Account—State Appropriation.	\$327,000))
4	Special Category C Account—State Appropriation.	((\$51,000))
5		<u>\$18,000</u>
6	Transportation Improvement Account—State	
7	Appropriation.	\$20,000
8	TOTAL APPROPRIATION.	((\$548,000))
9		<u>\$89,000</u>

10 **Sec. 1003.** 2022 c 186 s 403 (uncodified) is amended to read as
11 follows:

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

13	Motor Vehicle Account—State Appropriation: For motor	
14	vehicle fuel tax statutory distributions to	
15	cities and counties.	((\$474,003,000))
16		<u>\$467,037,000</u>

17	Multimodal Transportation Account—State	
18	Appropriation: For distribution to cities and	
19	counties.	\$26,786,000
20	Motor Vehicle Account—State Appropriation: For	
21	distribution to cities and counties.	\$23,438,000

22 **Sec. 1004.** 2022 c 186 s 404 (uncodified) is amended to read as
23 follows:

24 **FOR THE STATE TREASURER—TRANSFERS**

25	Motor Vehicle Account—State Appropriation: For motor	
26	vehicle fuel tax refunds and statutory	
27	transfers.	((\$2,000,419,000))
28		<u>\$1,971,401,000</u>

29 **Sec. 1005.** 2022 c 186 s 405 (uncodified) is amended to read as
30 follows:

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

32	Motor Vehicle Account—State Appropriation: For motor	
33	vehicle fuel tax refunds and transfers.	((\$240,330,000))
34		<u>\$264,160,000</u>

1 **Sec. 1006.** 2023 c 2 s 2 (uncodified) is amended to read as
2 follows:

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

4 (1) Highway Safety Account—State Appropriation:
5 For transfer to the State Patrol Highway
6 Account—State. (~~(\$47,000,000)~~)
7 \$52,000,000

8 (2) (a) Transportation Partnership Account—State
9 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account
10 —State. \$30,293,000

11 (b) It is the intent of the legislature that this transfer is
12 temporary, for the purpose of minimizing the impact of toll
13 increases. An equivalent reimbursing transfer is to occur after the
14 debt service and deferred sales tax on the Tacoma Narrows bridge
15 construction costs are fully repaid in accordance with chapter 195,
16 Laws of 2018.

17 (3) (a) Motor Vehicle Account—State Appropriation:
18 For transfer to Alaskan Way Viaduct Replacement Project
19 Account—State. \$6,000,000

20 (b) The funds provided in (a) of this subsection are a loan to
21 the Alaskan Way viaduct replacement project account—state, and the
22 legislature assumes that these funds will be reimbursed to the motor
23 vehicle account—state at a later date when traffic on the toll
24 facility has recovered from the COVID-19 pandemic.

25 (4) Motor Vehicle Account—State Appropriation:
26 For transfer to the County Arterial Preservation
27 Account—State. \$7,666,000

28 (5) Motor Vehicle Account—State Appropriation:
29 For transfer to the Freight Mobility Investment
30 Account—State. \$5,511,000

31 (6) Motor Vehicle Account—State Appropriation:
32 For transfer to the Rural Arterial Trust
33 Account—State. (~~(\$9,331,000)~~)
34 \$4,844,000

35 (7) Motor Vehicle Account—State Appropriation:
36 For transfer to the Transportation Improvement
37 Account—State. \$9,688,000

38 (8) Rural Mobility Grant Program Account—State
39 Appropriation: For transfer to the Multimodal

1 Transportation Account—State. \$3,000,000
2 (9) (a) State Route Number 520 Civil Penalties
3 Account—State Appropriation: For transfer to the
4 Motor Vehicle Account—State. \$2,000,000
5 (b) The transfer in this subsection is to repay moneys loaned to
6 the state route number 520 civil penalties account in the 2019-2021
7 fiscal biennium.
8 (10) State Route Number 520 Civil Penalties
9 Account—State Appropriation: For transfer to the
10 State Route Number 520 Corridor Account—State. (~~(\$1,532,000)~~)
11 \$1,508,000
12 (11) Capital Vessel Replacement Account—State
13 Appropriation: For transfer to the Connecting
14 Washington Account—State. \$35,000,000
15 (12) (a) Capital Vessel Replacement Account—State
16 Appropriation: For transfer to the Transportation
17 Partnership Account—State. \$35,547,000
18 (b) The amount transferred in this subsection represents proceeds
19 from the sale of bonds authorized in the 2019-2021 biennium in RCW
20 47.10.873.
21 (13) Multimodal Transportation Account—State
22 Appropriation: For transfer to the Complete Streets
23 Grant Program Account—State. \$14,670,000
24 (14) Multimodal Transportation Account—State
25 Appropriation: For transfer to the Connecting
26 Washington Account—State. \$200,000,000
27 (15) Multimodal Transportation Account—State
28 Appropriation: For transfer to the Freight Mobility
29 Multimodal Account—State. \$4,011,000
30 (16) Multimodal Transportation Account—State
31 Appropriation: For transfer to the Ignition Interlock
32 Device Revolving Account—State. \$600,000
33 (17) Multimodal Transportation Account—State
34 Appropriation: For transfer to the Pilotage
35 Account—State. \$2,000,000
36 (18) Multimodal Transportation Account—State
37 Appropriation: For transfer to the Puget Sound
38 Capital Construction Account—State. (~~(\$816,700,000)~~)
39 \$30,000,000

1 (19) Multimodal Transportation Account—State
2 Appropriation: For transfer to the Regional Mobility
3 Grant Program Account—State. \$27,679,000
4 (20) Multimodal Transportation Account—State
5 Appropriation: For transfer to the Rural Mobility
6 Grant Program Account—State. \$15,223,000
7 (21) (a) Alaskan Way Viaduct Replacement Project
8 Account—State Appropriation: For transfer to the
9 Transportation Partnership Account—State. \$22,884,000
10 (b) The amount transferred in this subsection represents
11 repayment of debt service incurred for the construction of the SR 99/
12 Alaskan Way Viaduct Replacement project (809936Z).
13 (22) Tacoma Narrows Toll Bridge Account—State
14 Appropriation: For transfer to the Motor Vehicle
15 Account—State. \$950,000
16 (23) Puget Sound Ferry Operations Account—State
17 Appropriation: For transfer to the Puget Sound
18 Capital Construction Account—State. \$60,000,000
19 (24) (a) General Fund Account—State
20 Appropriation: For transfer to the State Patrol
21 Highway Account—State. \$625,000
22 (b) The state treasurer shall transfer the funds only after
23 receiving notification from the Washington state patrol under section
24 207(2), chapter 333, Laws of 2021.
25 ~~(25) ((Motor Vehicle Account—State~~
26 ~~Appropriation: For transfer to the Puget Sound~~
27 ~~Capital Construction Account—State. \$30,000,000~~
28 ~~(+26))~~ (26) Multimodal Transportation Account—State
29 Appropriation: For transfer to the I-405 and SR 167
30 Express Toll Lanes Account—State. \$268,433,000
31 ~~((+27))~~ (26) Multimodal Transportation Account—
32 State Appropriation: For transfer to the Move Ahead
33 WA Account—State. ~~(((\$874,081,000))~~
34 \$1,660,781,000
35 ~~((+28))~~ (27) Multimodal Transportation Account—State
36 Appropriation: For transfer to the State Route
37 Number 520 Corridor Account—State. \$70,786,000
38 ~~((+29) Motor Vehicle Account—State~~
39 ~~Appropriation: For transfer to the Connecting Washington~~

1 Account—State. \$80,000,000
 2 ~~(30))~~ (28) Move Ahead WA Account—State
 3 Appropriation: For transfer to the Connecting Washington
 4 Account—State. ((~~\$600,000,000~~))
 5 \$510,000,000
 6 ~~((31))~~ (29) Transportation Improvement Account—State
 7 Appropriation: For transfer to the Transportation
 8 Improvement Board Bond Retirement Account—State. ((~~\$6,451,550~~))
 9 \$6,452,000
 10 (30) Carbon Emissions Reduction Account—State
 11 Appropriation: For transfer to the Puget Sound
 12 Ferry Operations Account—State. \$600,000
 13 The amount transferred in this subsection represents an estimate
 14 of fare replacement revenue to account for the implementation of 18
 15 and under fare-free policies.
 16 (31) Motor Vehicle Account—State Appropriation: For
 17 transfer to the Move Ahead WA Account—State. \$3,607,000
 18 (32) Electric Vehicle Account—State Appropriation:
 19 For transfer to the Move Ahead WA Flexible
 20 Account—State. \$16,064,000
 21 (33) Carbon Emissions Reduction Account—State
 22 Appropriation: For transfer to the Climate
 23 Active Transportation Account—State. \$15,182,000
 24 (34) Carbon Emissions Reduction Account—State
 25 Appropriation: For transfer to the Climate
 26 Transit Programs Account—State. \$53,436,000

27 **Sec. 1007.** 2021 c 333 s 407 (uncodified) is amended to read as
 28 follows:

29 **FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING**
 30 **BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY**
 31 **STATUTORILY PRESCRIBED REVENUE**

32 Toll Facility Bond Retirement Account—Federal
 33 Appropriation ((~~\$199,129,000~~))
 34 \$199,040,000
 35 Toll Facility Bond Retirement Account—State
 36 Appropriation \$25,372,000
 37 TOTAL APPROPRIATION. ((~~\$224,501,000~~))

(End of part)

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. **Sec. 1101.** A new section is added to 2022 c 186 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act must be expended for the programs and in the amounts specified in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act. However, after May 1, 2023, unless specifically prohibited, the department may transfer state appropriations authority for the 2021-2023 fiscal biennium among operating programs upon approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer appropriations authority, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature before approving any allotment modifications or transfers under this section.

*NEW SECTION. **Sec. 1102.** The following acts or parts of acts are each repealed:

- (1) 2022 c 187 s 201 (uncodified);**
- (2) 2022 c 187 s 202 (uncodified);
- (3) 2022 c 187 s 203 (uncodified);
- (4) 2022 c 187 s 204 (uncodified);
- (5) 2022 c 187 s 205 (uncodified);
- (6) 2022 c 187 s 206 (uncodified);
- (7) 2022 c 187 s 207 (uncodified);
- (8) 2022 c 187 s 208 (uncodified);
- (9) 2022 c 187 s 209 (uncodified);
- (10) 2022 c 187 s 210 (uncodified);
- (11) 2022 c 187 s 211 (uncodified);
- (12) 2022 c 187 s 301 (uncodified);
- (13) 2022 c 187 s 302 (uncodified);
- (14) 2022 c 187 s 303 (uncodified);**
- (15) 2022 c 187 s 304 (uncodified);

- 1 (16) 2022 c 187 s 305 (uncodified);
- 2 (17) 2022 c 187 s 306 (uncodified);
- 3 (18) 2022 c 187 s 307 (uncodified);
- 4 (19) 2022 c 187 s 308 (uncodified); and
- 5 (20) 2022 c 187 s 401 (uncodified).

****Sec. 1102 was partially vetoed. See message at end of chapter.***

(End of part)

1 **MISCELLANEOUS**

2 NEW SECTION. **Sec. 1201.** 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. 1202.** 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 April 22, 2023.

Passed by the Senate April 22, 2023.

Approved by the Governor May 16, 2023, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 17, 2023.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 204(3),
207(5), 208(10), 211(1), 215(3), 217(6), 218(5), 219(2), 221(18),
223(3), 224(4), 208(29), 208(31), 213(5), 214(7), 215(4), 217(10),
219(11), 219(12), 224(3), 701(1), 804, 1102(1), 1102(14), 208(17),
208(18), 208(19), and 208(33), Engrossed Substitute House Bill No.
1125 entitled:

"AN ACT Relating to transportation funding and appropriations."

**Section 204(3), pages 15-16, Joint Transportation Committee,
Oversight of Ferry Procurement**

This section directs the Joint Transportation Committee to hire a
consultant to provide oversight of ferry documents and procedures
relating to the procurement of hybrid-electric ferry vessels. This
extra step to require the Joint Transportation Committee to hire a
consultant will create inefficiencies in the ferry procurement
process. Also, because there is a third-party consultant required in
Engrossed House Bill 1846, this work could be duplicative. For these
reasons, I have vetoed Section 204(3). However, I am directing
Washington State Ferries to engage with legislators regularly as it
works to implement a new ferry vessel procurement process.

Section 207(5), page 27, Washington State Patrol

Section 208(10), page 35, Department of Licensing

Section 211(1), page 44, Department of Transportation, Facilities

**Section 215(3), page 51, Department of Transportation, Public-Private
Partnerships**

**Section 217(6), page 59, Department of Transportation, Transportation
Operations**

**Section 218(5), page 65, Department of Transportation, Transportation
Management and Support**

Section 219(2), pages 65-66, Department of Transportation, Planning

Section 221(18), page 78, Department of Transportation, Public Transportation

Section 223(3), page 85, Department of Transportation, Rail

Section 224(4), page 87, Department of Transportation, Local Programs

These sections identify the Legislature's intent to monitor and adjust appropriations in the future. The proviso language suggests that agencies should hire staff beyond their appropriation authority. The law prohibits agencies from spending more than their authorized appropriation levels. For this reason, I have vetoed Sections 207(5), 208(10), 211(1), 215(3), 217(6), 218(5), 219(2), 221(18), 223(3), and 224(4).

Section 208(29), page 40, Department of Licensing, Per-Mile Fee Program Study

This section directs the Department of Licensing to study, in consultation with the Washington State Transportation Commission, the feasibility of implementing and administering a per-mile fee program. This work pre-supposes a per-mile fee program will be adopted despite the need to consider broader options for alternative funding sources for transportation. For this reason, I have vetoed Section 208(29).

Section 208(31), page 41, Department of Licensing, Vehicle Odometer Readings

This section provides appropriations to implement Engrossed Substitute House Bill 1736 (vehicle odometer readings). Previously, I vetoed ESHB 1736; therefore, the funding to implement this bill is no longer necessary. For this reason, I have vetoed Section 208(31).

Section 213(5), pages 47-48, Department of Transportation, Aviation Impacts

This section directs the Department of Transportation to evaluate and report on the operational and technological enhancements addressing the environmental impacts from commercial aviation activities. The appropriation is insufficient to conduct a thorough evaluation. For this reason, I have vetoed Section 213(5).

Section 214(7), pages 49-50, Department of Transportation, State Route 532 Surplus Parcel

This section requires the Department of Transportation to certify that the property located south of State Route 532 and west of Interstate 5 in the vicinity of the intersection of SR 532 and 19th Avenue NW is no longer needed for the state highway system, and to convey the roadway and access rights to the county. The conveyance of access rights to the state highway would improperly delegate to the county the important responsibility of ensuring the safety and operation of a state limited access facility, contrary to the department's existing statutory authority under chapter 47.52 RCW. This raises significant safety concerns of increasing access to SR 532 at this location. For this reason, I have vetoed Section 214(7).

Section 215(4), page 51, Department of Transportation, Hydrogen Refueling Stations

The department is directed to pursue federal funding for hydrogen fueling stations for passenger and light-truck vehicles as well as medium and heavy-duty vehicles. While there is a stated intent to provide state matching funds for federal grants, the budget provides no such funding nor is funding provided for staff to pursue federal grants. In addition, green hydrogen is best suited for medium and

heavy-duty vehicles, rather than passenger and light-duty vehicles. For these reasons, I have vetoed Section 215(4).

Section 217(10), pages 60-61, Department of Transportation, Weigh Station Preclearance Program

Requirements in this section contradict the existing Weigh Station Strategic Plan adopted by the Washington State Patrol and Department of Transportation and the existing weigh station preclearance system. For this reason, I have vetoed Section 217(10).

Section 219(11), pages 69-70, Department of Transportation, State Route 904 Corridor Study

This section requires the Department of Transportation to plan for improvements on State Route 904. Given the limited availability of funds for the department to perform basic operations, it is not prudent for the state to undertake new work at this time. For this reason, I have vetoed Section 219(11).

Section 219(12), page 70, Department of Transportation, U.S. Highway 12 Safety Improvement Study

This section requires the Department of Transportation to perform an analysis of the state and local transportation network around an interchange on US 12. Given the limited availability of funds for the department to perform basic operations, it is not prudent for the state to undertake new work at this time. For this reason, I have vetoed Section 219(12).

Section 224(3), page 87, Department of Transportation, Active Transportation Program

This section requires the Department of Transportation to examine and report on the feasibility of creating a new program for active transportation. Although I support the department evaluating its program structures, I have vetoed Section 224(3) because it only focuses on one program. However, I am directing the department to develop options and recommendations to address the restructuring or creation of programs, particularly related to active transportation. This work is important but should be comprehensive and funded.

Section 701(1), page 139, Washington State Patrol, Aerial Criminal Investigation Tools

This section places the purchase of replacement "aerial criminal investigation tools" for the Washington State Patrol under the oversight of the Office of the Chief Information Officer (OCIO). The term "aerial criminal investigation tools" is broad and could apply to both unmanned aerial vehicles, as well as other items such as Cessna airplanes that are funded in the budget. In addition, management of unmanned aerial vehicles or airplanes under the OCIO's information technology oversight requirements is inappropriate. For these reasons, I have vetoed Section 701(1).

Section 804, page 162, lines 11-12, 14-15, 20-25, and 32-34, and Section 1102(1), page 258, Department of Licensing, Appropriation and Repeal Section

These sections reduce appropriations for the Department of Licensing in the 2021-23 biennium. The department needs these appropriations to close the fiscal year. For this reason, I have vetoed the appropriation items in Section 804 and Section 1102(1). However, because this will result in more appropriation authority than the department needs to close the fiscal year, I am directing the Office

of Financial Management to place any excess authority in unallotted status.

Section 1102(14), page 258, Department of Transportation, 2022 Project List

This section repeals the 2022 project list and associated funding in Program I - Improvements. Repealing this section from Chapter 187, Laws of 2022 removes the department's authority to spend on capital projects for which work has already started. This authority is necessary for the department to close the current biennium. For this reason, I have vetoed Section 1102(14). However, because this will result in more appropriation authority than the department needs to close the fiscal year, I am directing the Office of Financial Management to place any excess authority in unallotted status.

The following sections provided funding to the Department of Licensing to implement bills which did not pass the Legislature. Because the funding has lapsed, I have vetoed Section 208(17), Section 208(18), Section 208(19), and Section 208(33).

Section 208(17), page 36, Department of Licensing, Senate Bill 5333, State Sport Special License Plate

Section 208(18), page 36, Department of Licensing, Senate Bill 5590/ House Bill 1489, Mount St. Helens Special License Plate

Section 208(19), page 36, Department of Licensing, Senate Bill 5738/ House Bill 1829, LeMay-America's Car Museum Special License Plate

Section 208(33), page 41, Department of Licensing, Substitute House Bill 1493, Impaired Driving

For these reasons I have vetoed Sections 204(3), 207(5), 208(10), 211(1), 215(3), 217(6), 218(5), 219(2), 221(18), 223(3), 224(4), 208(29), 208(31), 213(5), 214(7), 215(4), 217(10), 219(11), 219(12), 224(3), 701(1), 804, 1102(1), 1102(14), 208(17), 208(18), 208(19), and 208(33) of Engrossed Substitute House Bill No. 1125.

With the exception of Sections 204(3), 207(5), 208(10), 211(1), 215(3), 217(6), 218(5), 219(2), 221(18), 223(3), 224(4), 208(29), 208(31), 213(5), 214(7), 215(4), 217(10), 219(11), 219(12), 224(3), 701(1), 804, 1102(1), 1102(14), 208(17), 208(18), 208(19), and 208(33), Engrossed Substitute House Bill No. 1125 is approved."

Reviser's note: The explanation of partial veto printed above appears as it was received by the Secretary of State. A revised version of this explanation appears on the governor's website.

(End of Bill)

INDEX	PAGE #
ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM.	122
BOARD OF PILOTAGE COMMISSIONERS.	5
BOND REIMBURSEMENT.	135
COLLECTIVE BARGAINING AGREEMENTS.	130
COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED.	130
COMPENSATION	
INSURANCE BENEFITS.	131
PENSION CONTRIBUTIONS.	132
COUNTY ROAD ADMINISTRATION BOARD.	13, 92, 222
DEPARTMENT OF AGRICULTURE.	3
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION.	2
DEPARTMENT OF COMMERCE.	5
DEPARTMENT OF ENTERPRISE SERVICES.	7
DEPARTMENT OF LICENSING.	31, 162
TRANSFERS.	125, 252
DEPARTMENT OF NATURAL RESOURCES.	8
DEPARTMENT OF TRANSPORTATION	
AVIATION—PROGRAM F.	46, 177
CHARGES FROM OTHER AGENCIES—PROGRAM U.	70, 201
CLEAN FUELS CREDIT PROGRAM.	90
FACILITIES—PROGRAM D—CAPITAL.	92, 224
FACILITIES—PROGRAM D—OPERATING.	44, 176
HIGHWAY MAINTENANCE—PROGRAM M.	54, 183
IMPROVEMENTS—PROGRAM I.	95, 224
INFORMATION TECHNOLOGY—PROGRAM C.	43, 175
LOCAL PROGRAMS—PROGRAM Z—CAPITAL.	113, 245
LOCAL PROGRAMS—PROGRAM Z—OPERATING.	86, 218
MARINE—PROGRAM X.	79, 210
PRESERVATION—PROGRAM P.	104, 236
PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H.	48, 179
PUBLIC TRANSPORTATION—PROGRAM V.	72, 203
PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K.	50, 182
RAIL—PROGRAM Y—CAPITAL.	110, 242
RAIL—PROGRAM Y—OPERATING.	84, 215
TOLL OPERATIONS AND MAINTENANCE—PROGRAM B.	41, 170
TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL.	107, 239
TRAFFIC OPERATIONS—PROGRAM Q—OPERATING.	57, 190
PROGRAM E.	45, 177
TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S.	63, 193

TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T.	65, 196
VACANCY-RELATED TRANSFER AUTHORITY.	89
WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W.	108, 239
ECONOMIC AND REVENUE FORECAST COUNCIL.	7
FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS MANAGEMENT.	123
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD.	23, 156, 220
GENERAL WAGE INCREASES AND LUMP SUM PAYMENTS.	131
JOINT TRANSPORTATION COMMITTEE.	13
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE.	4
LOCAL PARTNER COOPERATIVE AGREEMENTS.	137
MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION.	133
NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS.	122
OFFICE OF FINANCIAL MANAGEMENT.	2
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES.	4
OFFICE OF THE GOVERNOR.	5
PROJECT SCOPE CHANGES.	136
QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM.	122
REAPPROPRIATIONS REPORTING.	135
STATE PARKS AND RECREATION COMMISSION.	3
STATE TREASURER	
ADMINISTRATIVE TRANSFERS.	125, 253
BOND RETIREMENT AND INTEREST.	124, 124, 251, 251
BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE.	128, 256
STATE REVENUES FOR DISTRIBUTION.	124, 252
TRANSFERS.	125, 252
TOLL CREDITS.	137
TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING.	136
TRANSPORTATION COMMISSION.	20, 154
TRANSPORTATION IMPROVEMENT BOARD.	13, 92, 223
UNIVERSITY OF WASHINGTON.	6
UTILITIES AND TRANSPORTATION COMMISSION.	2
WASHINGTON STATE PATROL.	25, 91, 156, 222
WASHINGTON STATE UNIVERSITY.	6
WASHINGTON TRAFFIC SAFETY COMMISSION.	10

--- **END** ---